

DEP



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AUG 1 1974

HARTFORD  
INNOVATIVE PROGRAMS ARE AWARDED EPA GRANT

# CITIZENS' bulletin

EPA has awarded to DEP a comprehensive grant totalling \$275,000 for design and trial of a civil penalties enforcement program and an environmental information management system. If implemented, these programs will be the first of their kind in the country and will be used as a pilot study, the results of which may be applied nationwide. The grant became effective July 1st.

## The Civil Penalty Enforcement System

\$200,000 of the EPA grant has been allotted over a period of 18 months for a civil penalties enforcement project. This will fund DEP activities which are necessary to establish civil penalties schedules according to statutory standards, and to establish the administrative procedures for implementing a civil penalties program.

## Why Civil Penalty Enforcement is Needed

By the end of the Department's first year of operations, it was apparent that the mechanisms available to the State and its localities for environmental law enforcement were cumbersome and sometimes seriously deficient.

- \* The Department could not reach some offenders.
- \* A small number of large violators anxious to frustrate enforcement through delay were able, in fact encouraged, to do so by the contrast between the high cost of compliance and the array of inexpensive dilatory devices available.
- \* Small violators (e.g. car owners, those responsible for home septic and heating systems, and owners of wetlands) were generally too numerous and dispersed to allow effective policing, let alone follow-up hearings and litigation, by a small state staff. Cumulatively, many of these small sources cause major environmental damage.
- \* There was too much work for available capacity, and therefore bottlenecks developed at many steps in the enforcement flow (from detection through negotiations, administrative

proceedings, litigation and adjudication and appeals to execution). Resolving bottlenecks in the early phases of the process without careful, overall planning would only intensify the problem in later phases. Increased staff, less enforcement and/or more efficient use of available resources were the basic alternatives available.

- \* The Department had to rely on the Attorney General and local prosecutors for essential legal services and had no means of increasing or redirecting their finite resources and existing priorities.
- \* Because available remedies were typically all-or-nothing injunctions or criminal penalties, the courts were reluctant to use them, further weakening the Department's position.

In late 1972 and early 1973 an enforcement task force went to work. It reviewed the Department's enforcement responsibilities, identified a large number of possible means of strengthening the Department's enforcement systems, and--after extensive discussion in the Department had cut the number of possible options to be proposed to the legislature roughly in half--recommended legislation that was passed by the 1973 General Assembly.

Once this enabling legislation was passed, the Department applied to EPA for a grant to help it finance the detailed design and start-up costs entailed in launching the several enforcement innovations made possible by the new legislation. EPA has funded a large part of these costs because it expects changes introduced in Connecticut could be easily adapted to and used by other states.

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## The Legislation's Powers

The civil penalties legislation -- PA 73-665, An Act Concerning the Enforcement Authority of the Connecticut Environmental Protection--gives DEP several important new powers. The most important of these powers allows DEP:

- \* To assess significant monetary civil penalties administratively, subject to various guidelines.
- \* To require the posting of performance bonds sufficiently large to insure compliance with orders, permits, etc.
- \* To expedite the collection of the civil penalties outlined above by giving the order levying them the same standing as a judgment of the Superior Court, after either personal service or service by certified or registered mail.
- \* To receive precedence for appeals in the Superior Court.
- \* To subdelegate administrative and enforcement tasks to certain local and other state officials.

These new tools were selected and designed to mesh with pre-existing DEP powers to give the Department full and effective enforcement systems for the wide range of enforcement problems confronting it.

Civil penalties are economic remedies tailored to fit different classes of environmental violations. In the case of DEP's administrative program, the department imposes the penalty and acts as the trial court. DEP, rather than a court without necessary background information readily available, sets the fine. A primary goal of the civil penalty enforcement project is to devise economic penalties which are appropriate to the seriousness of the violation and are greater than the cost of non-compliance.

There would be three types of civil penalty systems under DEP's plan, and use of them would depend on the type of violation.

Major violations would require the direct attention of DEP staff. When a violation is detected, the department would issue a notice of violation including a possible civil penalty. If the source agrees to a consent order, it may be required to purchase abatement equipment and perhaps have to post a performance bond (money, comparable to a security deposit, which the company will forfeit if there are further violations or if the present ones are not remedied). If the source chooses to appeal, the case would go to hearing

and an independent hearing officer would be authorized to hear the facts and recommend a civil penalty which could be imposed only by the DEP commissioner or deputy commissioner. Once an order became final, the source could be required to post a performance bond. The final order would be docketed with a clerk of the Superior Court and executed as a judgment of that court. Any agency decision would be subject to judicial review under Connecticut's Administrative Procedure Act, and the courts could suspend the provision pending appeal.

Less major, procedural violations would be easily handled by DEP clerical staff using new data processing facilities. Such procedural violations, as, for instance, failure to submit a required report on time, cause no major environmental harm, but impair DEP's ability to protect environmental quality. The enforcement system for these would be the same as for substantive violations but the penalties would be smaller. Classifying violators this way and dealing with them separately will save time as well as cut down red tape.

Small, clearly defined classes of substantive or procedural violations would be most effectively detected by local or other state officials who are likely to detect such violations in the performance of their regular duties. When a violation is detected, notice of the violation indicating the pre-set penalty would be issued, and a copy of the notice sent to DEP. The source would either default or appeal and request a hearing. Hearing and post-hearing procedures would be similar to those for major violations, but eventually DEP plans to develop a simplified and possibly decentralized hearing process for such cases.

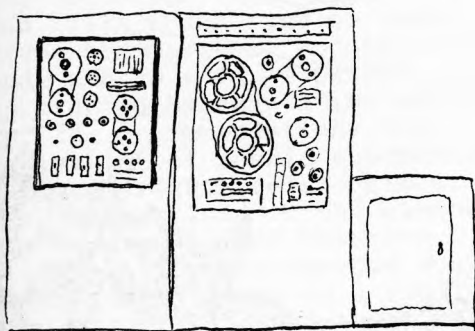
Part of the comprehensive grant would be used to explore the possibility of delegating implementation of these penalties to local officials, should they wish to assume the responsibility.

Specifically, P.A. 73-665, the enforcement act, gives DEP the power to apply civil fines up to \$1,000 and \$100 a day for violations of departmental procedural regulations such as failure to register, \$25,000 and \$1,000 a day for violations of statutory or regulatory standards such as excessive emissions, \$25,000 and \$1,000 a day for violations of the terms of a DEP order or permit such as failure to purchase and install equipment as ordered, and \$25,000 and \$5,000 a day for violations of cease and desist or emergency orders such as continuing to discharge toxic materials.



### Information Please

The environmental information management system will employ a computer software system into which will be fed all data about DEP compliance activities. The new system will be integrated across all DEP program lines so that the environmental quality data will be accessible to all department units, and thus be more useful than it has been in the past.



With this system, a fair decision on how to deal with a violation will be easier to make - and in a shorter time. For example, if a complaint that a certain company is violating DEP air compliance regulations is received, the DEP officer who must act on the complaint can, within a matter of minutes, review the company's environmental history, determine whether this is its first violation or whether it consistently violates DEP regulations in different areas, and reach an optimal solution quickly.

Scheduling of inspections and other enforcement functions, review of source compliance schedules, and general surveillance of program operations and their corresponding environmental effects will also be made easier with the computer system.

EPA has been funding data processing projects in other states but as yet none have come up with satisfying results that can be applied elsewhere--usually because each state enforcement unit has its own separate computer system, thus guaranteeing that information on a specific subject is fragmented in various locations. Information gaps such as these have existed in Connecticut's system because information has been processed manually, making routine exchange of data among programs virtually impossible.

\$75,000 of the comprehensive grant has been allotted to conduct a feasibility study on DEP's initial information management plan and if the results are positive the plan will be put into effect. The study will contain a documented

analysis of federal requirements and consideration of the costs and benefits of various alternative methods of satisfying the requirements. The funding for the information management plan study will be for 12 months, and future funding will depend on its feasibility and success.

### The Public is Involved

DEP will hold four hearings on July 18, pursuant to the adoption of the first of a series of new departmental regulations and the schedules of civil penalties for violations of these regulations. These first regulations concern display requirements for permits to remove sand, gravel or other materials, and permits to erect structures or place obstructions or encroachments in tidal, coastal or navigable waters or within stream encroachment lines. Hearings will be held in the future on additional regulations and civil penalties for violation of them. Copies of the proposed regulations to be discussed at the hearing are available from the Office of the Commissioner, Rm. 161, address on the masthead. See calendar for details about the time and place of the hearings.

### NEW SCS STATE CONSERVATIONIST

Robert G. Halstead was recently named state conservationist in Connecticut. As such he will direct the activities of the U.S. Department of Agriculture Soil Conservation Service (SCS) in the state. He succeeds Robert L. Hilliard who became state conservationist in New York.

During his career with SCS, Mr. Halstead worked in Maryland, Michigan and New Jersey. His most recent position before transferring to Connecticut was deputy state conservationist in Pennsylvania.

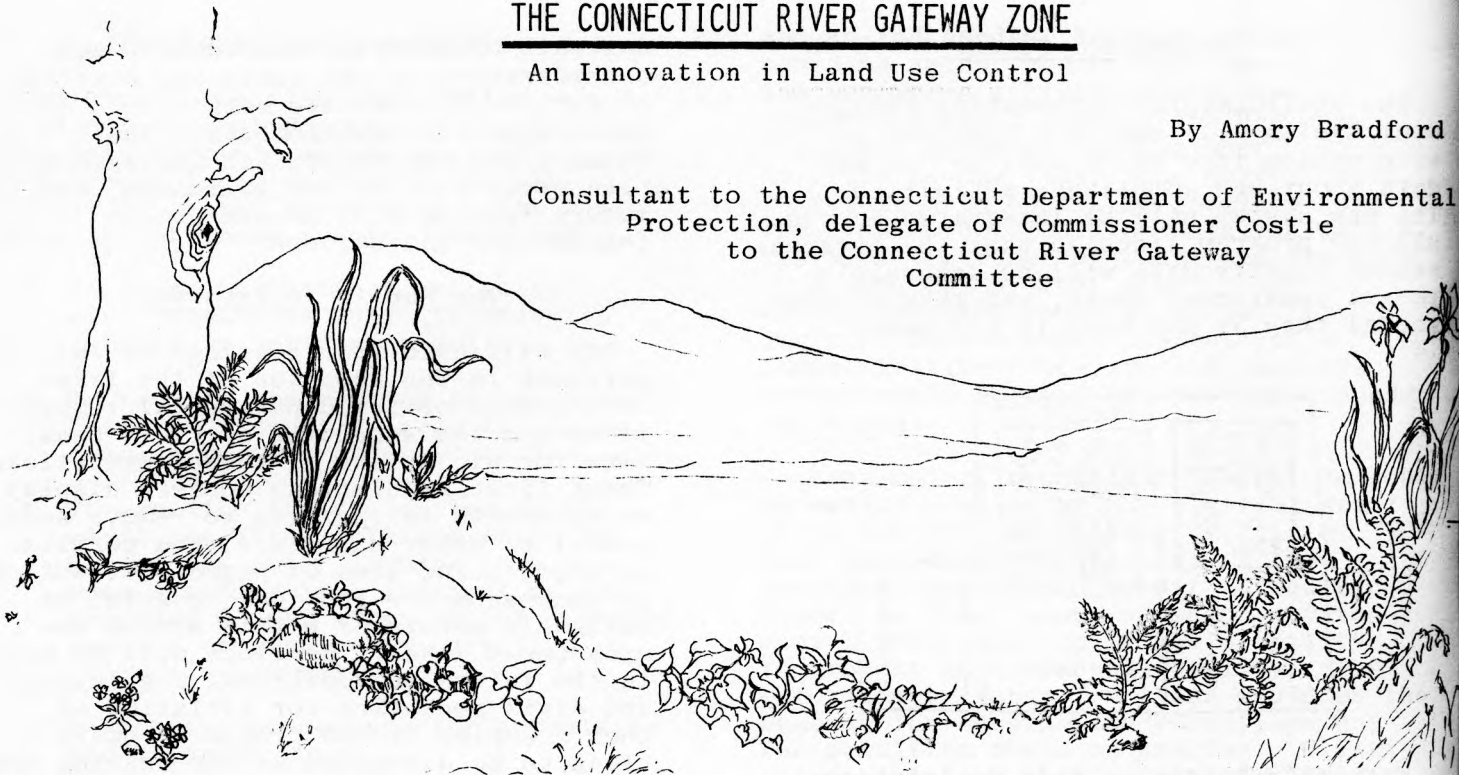
As Connecticut's state conservationist, Mr. Halstead will direct a staff of 54 from the SCS headquarters in Storrs. SCS activities are run from these headquarters and from regional offices located in each of the 8 counties of the state. The SCS helps individual organizations and units of government to protect, improve and develop the soil, water, and related natural resources of Connecticut. The work of SCS includes providing assistance to the eight Soil and Water Conservation Districts, giving technical leadership in two resource conservation area development projects as well as several watershed protection projects, and completing a statewide detailed soils survey. SCS personnel are thus providing most of the soils mapping for inland wetlands regulatory agencies.

# THE CONNECTICUT RIVER GATEWAY ZONE

An Innovation in Land Use Control

By Amory Bradford

Consultant to the Connecticut Department of Environmental Protection, delegate of Commissioner Costle to the Connecticut River Gateway Committee



In Old Saybrook, Connecticut, on May 14, 1974, at a special town meeting in the high school auditorium, nearly 400 voters met at 8 p.m. to consider the proposal that the town be governed by "An Act Concerning the Preservation of the Lower Connecticut River Area" (Public Act No. 73-349, as amended) which would, upon approval of five towns, establish the new "Connecticut River Gateway Conservation Zone".

The moderator called first on those wishing to speak in support of the proposal.

The first selectman, Barbara Maynard, opened the discussion by reporting that the planning, zoning, and conservation commissions of the town each had reviewed the proposal to join the Connecticut River Gateway Zone, and recommended its adoption. A color movie was shown, prepared by the town conservation commission, with aerial views of the natural beauties of the area and scenes of those using and enjoying the land and water.

Joe Sadler spoke next, describing how he represented the town on the interim Gateway Committee, an 11 member committee set up under P.A. 73-349 to recommend common zoning standards and the acquisition by the State of scenic easements and development rights within the Gateway Zone -- an area of 30,000 acres bordering the lower reaches of the Connecticut River for 20 miles above its entrance into Long Island Sound. Its purpose was to preserve the natural river environment against incompatible development in part of the eight towns - Old Saybrook, Essex Deep River, Chester, Haddam, East Haddam, Lyme, and Old Lyme.

Sadler described how the committee, over a three-month period, had developed recommendations which would be good for all eight towns. He had been skeptical at first, but had been convinced by a boat ride which the committee took up the river one afternoon, when he looked out at the unspoiled hillsides rising on each side of the river and imagined how they would look covered with houses in small subdivisions.

The hardest change for him to accept was the proposed standard for a building ban on land fifty feet from the river front, which excepted marine facilities by special permit, but which could cause problems for structures connected with marinas. In balance, however, he felt this should work out if reasonably applied in the future.

Garry Valentine, for the conservation commission, described the proposed zoning standards in detail, emphasizing that they were designed to preserve the existing view of the river scene and would not require any major changes in Old Saybrook's zoning regulations.

William Moore, of Lyme, Chairman of the interim Gateway Committee, referred to the history of the current law, which came into being against the background of proposed Federal legislation - the Ribicoff bill - to create a National Recreation Area, like the one on Cape Cod, for parts of the Connecticut River. This was strongly opposed locally on the ground that it provided for too much recreation in ways that would change the character of the area. What many here did not know was that it was also opposed within the Federal government because as drawn up, it provided for too little recreation



compared to other Federally supported areas.

The emphasis in the new state legislation, proposed by Peter Cashman, then State Senator from this area, now Lieutenant Governor, was to preserve the area by maintaining and strengthening local control.

Moore described the conservation zone as essentially the part of each town visible from the river, from the shore line up to the ridge line of the bluffs and hills which rise on each side. Since the marshes, scenic points and islands are to a large extent already protected by regulation and State ownership, the recommendations for State acquisition of scenic easements and development rights relate almost entirely to higher land on the slopes facing the river. In Old Saybrook, the only acquisition recommended would affect about twenty acres on a knoll behind the village. In all cases of acquisition of rights by the State, the approach would be to negotiate with the owner, starting with a discussion of what the owner would like to have done to preserve the land in its present state.

Moore answered a number of specific questions. He pointed out that this evening's vote by Old Saybrook was significant, since four towns, East Haddam, Chester, Deep River, and Old Lyme, had already voted in favor of joining the Gateway. Under the Statute, the new Conservation Zone would be created when a fifth town of the eight approved it.

During the questions, and in supporting statements made by several others, it became apparent that the shadow of a proposed giant oil refinery, announced in a big news story five days earlier for possible erection on the shoals in Long Island Sound three miles offshore from Cornfield Point in Old Saybrook, had highlighted the need for protecting the area against harmful development.

At 9:45 p.m., the moderator rose to ask if there were others who wished to speak in support. There were none. He called on those opposing the proposal to speak. An expectant silence fell. A handbill, signed by the "Connecticut River Marine Association" (membership unstated), had been circulated in the town a few days before. It had urged voters to attend the town meeting and vote against "the Gateway Bill" which it claimed would cause the town to "relinquish a degree of its self-government to a higher and remote State Authority", and would subject local zoning to "bureaucratic delay, needless expense and possible biased decisions".

The silence continued. No one rose to speak in opposition. The moderator called for a voice vote. The low voiced "Ayes" seemed to be matched in volume by a number of loudly shouted "Noes" from opponents, compensating now for their earlier silence. The moderator called for a standing vote. This revealed at least four times as many "Ayes" as "Noes". The proposition was declared adopted.

So the Connecticut River Conservation Zone came into being, almost exactly a year after the enactment of the Cashman Bill proposing it. By the end of May, the three remaining towns in the Zone - Lyme, Essex, and Haddam - all approved it.

The Conservation Zone constitutes an innovation in land use control through the cooperation of eight towns to preserve a zone of great and unspoiled natural beauty.

What does this new conservation zone mean for the future of this area?

- Each town must now amend its zoning regulations to conform to the new standards recommended by the Gateway Committee last October and presented to the planning, zoning, and conservation commissions of each town for review and comment during a 90-day period. These new standards apply only in the Conservation Zone, which covers from 10% to 20% of each town, though some of the towns are considering applying them throughout the town. The new standards will require relatively minor changes in existing zoning controls over land coverage, signs, building height, burning of undergrowth, earth removal, and dumping of refuse. New regulations will be needed to cover the setback from the river edge, site plans, erosion and sedimentation, and timber cutting.
- A new agency, the Connecticut River Gateway Commission, will be formed, with eleven members, one elected by each of the eight towns, one appointed by each of two regional planning agencies serving the area, and one representing the State Department of Environmental Protection.

It will have the following powers and duties:

- to employ expert and other assistance to accept funds from any source, and to report annually to the General Assembly on its activities and finances;
- to review, and approve or disapprove

the adoption, amendment, or repeal of zoning ordinances of the member towns affecting property in the Conservation Zone, on the basis of compliance with the zoning standards set forth in the Act;

- to revise the zoning standards adopted for the Conservation Zone, after review by the planning, zoning, and conservation commissions of the towns, and a public hearing;
  - to appear, with the status of an aggrieved party, in hearings before the zoning board of appeals of each member town affecting land within the Conservation Zone;
  - to approve or disapprove the acquisition by the State of scenic easements and development rights in the Conservation Zone.
- The State will proceed, as authorized by the Act, to acquire less-than-fee interests, in the form of scenic easements or development rights, in 2500 acres of the Conservation Zone, for which \$5 million was authorized by the legislature. The Gateway Committee, as required by the Act, has recommended the areas for such acquisition, giving priority to the preservation of the undeveloped bluffs, heights of land, and unique shoreline features other than wetlands and islands, since the latter already receive protection through State ownership of 2700 acres in the Zone, and from legislation regulating the use of wetlands.

A speaker at the Essex town meeting on May 20 summed it all up:

"This will confer on us the responsibility to act in a unified way. It is an experiment in municipal cooperation unprecedented in Connecticut, and indeed anywhere in the country."



Connecticut has been awarded \$194,000 in federal funding for the first of three years of coastal area management planning.

The grant award was received from the National Oceanic and Atmospheric Administration (NOAA) of the U.S. Department of Commerce under the Coastal Zone Management Act of 1972. The grant will be supplemented with \$130,000 in state services making a total of \$324,000.

The program will enable Connecticut to move more rapidly toward building up the natural resource inventory necessary for protecting and preserving important coastal resources.

Activities funded by the grant will include \$20,000 for an aerial photographic survey of the 153 mile coastal zone which includes over 50 communities, and \$40,000 for a one-year pilot study of coastal management, on the Thames River estuary by the Southeastern Connecticut Regional Planning Agency. The pilot study will explore methods of involving the public and all levels of government in managing the coastal area, and will essentially be a scale model of the three-year effort.

Rather than starting from scratch, the program will utilize existing plans and studies in order to avoid duplication of effort. The Proposed Plan of Conservation and Development, published by the planning and budgeting division of the Department of Finance and Control in 1973, and the Long Island Sound Regional Study, scheduled for completion by the end of this year, will be especially important to the planning work.

The grant will fund a full-time technical staff of eight persons which will be located within DEP. The staff will work closely with other state and regional agencies and municipalities in the coastal area.

A Coastal Area Management Board, made up of the Commissioners of Agriculture,



Commerce, Community Affairs, Environmental Protection, Finance and Control, Health, and Transportation, and representatives of the six coastal regional planning agencies will oversee the activities of the technical staff. A citizen's Advisory Committee will also be established.

Planning work scheduled to begin this September will continue for a maximum of three years, and will result in the establishment of a management program for the coastal area.

"The management program will be beneficial in several aspects," Commissioner Costle said. "It will provide a much needed source of information on coastal resources for public use; it will provide a vehicle for sharing this

information with local governments and other state agencies, and it will enable us to identify critical coastal resource areas which must be preserved for future generations."

The Long Island Sound Study boundaries will serve to define the coastal area until a final inland boundary is determined. The planning staff will make final recommendations for definition of the coastal area by July 1, 1975, after a series of public hearings to be held along the coastline.

Connecticut is one of 14 states that have been awarded federal grants for the development of coastal zone management programs. Rhode Island and Massachusetts have also received grant awards.

## PESTICIDE USE AND REGULATION

### NATURAL INSECTICIDES FOR HOME USE

There are hundreds of synthetic chemical pesticides formulated into thousands of pest killing products recommended and sold in the United States each year. Many people are becoming concerned about their cumulative effect, particularly as more subtle toxic effects of this myriad of chemical poisons become known. Persons preferring to use naturally occurring pesticides, such as those derived from plants, may find the following list a useful guide. Other naturally occurring pesticides such as mercury, lead, cadmium, and arsenic are extremely persistent and very poisonous and should not be used about the home

#### INDOORS

1. A mixture of pyrethrins and silica gel (Lethalair B-6 Spray Roach Dust<sup>R</sup>, d-Con Warpath Powder Spray<sup>R</sup>, Penguin Down Dri-Die<sup>R</sup>) gives good control of crawling household insects such as ants, roaches, or ticks. Sprayed carefully into cracks and beneath baseboards, the pyrethrum will quickly kill any insects directly sprayed, then soon breaks down into harmless materials. The silica gel, non-toxic to warm blooded animals, kills insects for weeks or months, if not washed away, by destroying the protective outer layer of the insect cuticle and dehydrating them.

Small ants can be controlled by placing sealed ant traps in their pathways, out of reach of children or pets. The poisonous material in these traps is not of natural origin, but would not be spread about the house. Carpenter ants, the common large black ants, are not

## HOW TO BUG THE BUGS

controlled by traps. (For a more detailed explanation of carpenter ants and their control, send for "The Carpenter Ant" from Pesticide Compliance.)

2. An aerosol of pyrethrum (in many house and garden products) will give effective temporary control of flying insects. Adequate long term control must depend upon screening and good sanitation.

3. Fleas and ticks on dogs can be controlled by weekly applications of rotenone powder (sometimes combined with pyrethrum) to the dog's coat. Read the ingredient statement, as some products add other synthetic pesticides.

#### OUTDOORS

Oils: 1) Dormant Oil is used in late winter and early spring before the leaf buds start to show green. It controls scale insects, mites, and kills the eggs of aphids and other insects. 2) Summer Oil is lighter and more highly refined for use after foliage appears or on sensitive plants. Some plants cannot tolerate even summer oil, so follow label instructions carefully.

Inorganic Contact Insecticides: 1) Sulfur dusts, lime sulfur, and other sulfur compounds are among the world's oldest effective controls for mites and aphids. 2) Bordeaux mixture is a combination of copper sulfate and lime. Both Bordeaux mixture and sulfur are valuable also as fungicides.

Insecticides derived from plants: 1) Nicotine can be purchased as a dust (F & B Tobacco Dust<sup>R</sup>) or as a liquid.

Nicotine sulfate can be bought in a solution (Black Leaf 40<sup>R</sup>). Nicotine although highly poisonous, breaks down rapidly outdoors. 2) Pyrethrins are the active ingredients derived from the Pyrethrum flower. It is a general purpose insecticide of short life and low toxicity to warm blooded animals. Allethrins and Resmethrin are synthetic forms of pyrethrins. 3) Rotenone is obtained from the roots of the Cube or Derris plants. Relatively low in toxicity to humans, they remain effective a day or two to humans, they remain effective a day or two outdoors. They are very poisonous to fish and other cold blooded creatures and should not be used where they could endanger aquatic life. 4) Ryania and Sabadilla are two other insecticides produced from plants for use on food crops.

### BIOLOGICAL CONTROLS

1) Milky Spore Disease (Doom<sup>R</sup>, Japidebic<sup>R</sup>) is a dust containing bacterial spores which attack Japanese beetle larvae and closely related species. It works slowly, but control is permanent. 2) B.t. (Dipel<sup>R</sup>, Thuricide<sup>R</sup>, Biotrol<sup>R</sup>) stands for Bacillus thuringiensis which applied as a spray and eaten by caterpillars slowly kills them. It is not harmful to anything but caterpillars. ("The Gypsy Moth in Connecticut" is available to those wishing detailed information on this pest.)

### MOSQUITOES

Control of mosquitoes is best aimed at the larvae. Adults can travel considerable distances so control of them will only provide temporary relief, but a surprising number of mosquitoes can emerge from a small amount of water.

Examine all areas about your house that may contain water-abandoned playthings, clogged house gutters, septic tank seepage, weed-filled ponds, etc. Mosquitoes will not survive in moving water, so free running brooks and streams need not be a source of concern.

Where possible, the offending water should be removed. If the mosquitoes are breeding in a permanent pool, adding fish will usually eliminate the problem.

If chemical control is required, Flit MLO<sup>R</sup>, Abate<sup>R</sup>, or fuel oil can be applied to the water to kill the larvae. Be sure the "wigglers" are indeed present before using an insecticide. Fuel oil or kerosene floats on the water surface preventing the larvae from obtaining air when they come to the top. It may be used at the rate of 2 to 4 ounces per 100 square feet. Do not use where plants are growing through the water surface

as they may be injured. Flit MLO, a relatively new product, is apparently safer for other wildlife than is Abate.

Adult mosquitoes are less apt to be found in sunny, breezy areas. Removing excess shrubbery and small trees about houses can help reduce the nuisance by making the yards less favorable for the adults.

There are several excellent mosquito repellants on the market. These will prevent bites to persons using the yards and reduce the need for insecticides.

(The R used after the pesticide names in this story means the name is a registered trademark.)

### RESTRICTIONS

DEP has issued pesticide regulations, enforceable by law which restrict the use of certain products known to be especially dangerous. The regulations became effective July 1, 1974; regulations for permits for emergency or experimental use of pesticides became effective June 6, 1974.



### REGISTRATIONS AND USES



The following pesticides shall not be registered and their use shall be prohibited in Connecticut:

(1) Arsenic products except tricalcium arsenate for control of *Poa annua*, sodium arsenate for use in the treatment of lumber for protection against termites and decay-producing fungi, calcium acid methanearsonate (CMA), monosodium methanearsonate (MSMA), disodium methanearsonate (DSMA, MAA), ammonium methanearsonates and cacodylic acid and its sodium salt.

(2) Benzene Hexachloride (BHC).

(3) Cadmium products.

(4) Dichloro diphenyl dichloroethane (DDD).

(5) Dichloro diphenyl trichloroethane (DDT).

(6) Dodecachlorooctahydro-1,3,4-metheno-1H-cyclobuta (cd) pentalene (Mirex).

(7) Heptachlor.

(8) Lead Products.

(9) Mercury products.

(10) Phosphorous paste products.

(11) Selenium products.

(12) Terpene polychlorinates (65 or 66% chlorine) consisting of chlorinated cam-



phene, pinene and related polychlorinated (Strobane).

- (13) Thallium products.
- (14) Toxaphene

The following pesticides shall be registered and used for the following purposes only:

- (1) Aldrin for use as a termite control.
- (2) Dieldrin for use as a termite control.
- (3) Lindane for leafminer, bark beetle, powder post beetle, or borer control, or for prescribed use on humans by a physician licensed by the State of Connecticut.
- (4) Endrin for use as a mouse control in commercial orchards.
- (5) Sodium fluoride for use as a wood preservative.
- (6) Strychnine for use as a rat and mouse control.

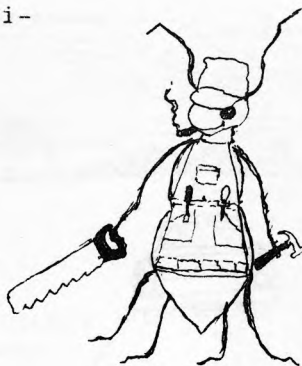
The following pesticides shall not be registered or used for the following purposes:

- (1) Any pesticide activated by thermal means, except pyrethrum, pyrethrins or pyrethroids, for indoor application, except indoor application for agricultural purposes;
- (2) Captan on pets or other animals;
- (3) Chlordane products
  - for indoor applications except by applicators licensed by the State of Connecticut.
  - on pets or other animals except by veterinarians licensed by the State of Connecticut;
  - for indoor or outdoor application by mistblowers and other mist generators or thermal foggers.

The Commissioner may exempt from restriction any pesticide shipped into the State for further processing or formulation within the State if the processor provides assurances satisfactory to the Commissioner that the product will not be sold or used for a prohibited purpose within the State.

Any person may apply for an experimental use permit for pesticides restricted by these regulations. The Commissioner may issue an experimental use permit if he determines that the experimental use will not be harmful to man, aquatic life, animals, plant life or natural resources.

The Commissioner may authorize the use of any pesticide restricted by these regulations if he determines that emergency conditions exist which require such authorization. Such authorization shall terminate in 14 days unless extended by the Commissioner.



## PESTICIDE LICENSES

Persons wishing to apply pesticides commercially for control of insects, diseases, or weeds, must be licensed to do so by the state. The DEP Pesticide Compliance Unit has licensed over 400 persons to date, 39 of whom were recently licensed after completing a five-session course given by the Cooperative Extension Service in cooperation with the DEP in May. The course included information on pesticide safety, formulations, and the identification and control of specific insects, diseases and weeds.

Similar courses will be offered in the future. Information about these and about how to obtain a license is available from the Division of Pesticide Compliance, Room G3A, address on the masthead, 566-5148.

## INLAND WETLANDS DEADLINE PAST

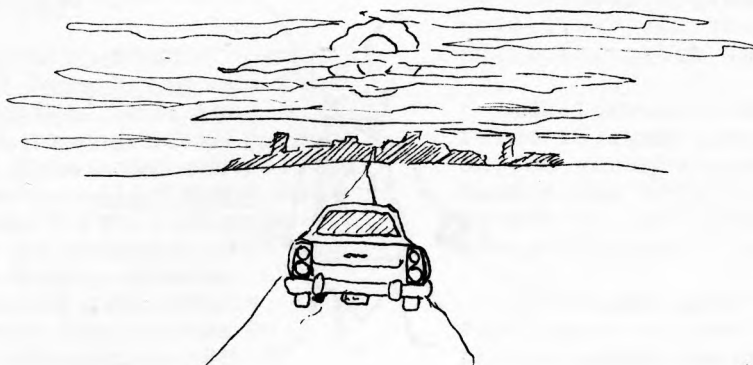
The June 30th deadline for Connecticut towns to decide whether to regulate their own inland wetlands and water courses or to leave regulation up to the state has passed. 51 towns chose to have DEP regulate their wetlands and water courses rather than do so locally. These towns, however, may opt to take over the regulation locally at any time, and a few are in the process of doing so, though they did not make the deadline.

DEP held informational meetings July 9-11 to review the inland wetlands and water courses maps for the towns that are under state jurisdiction. The towns are listed below.

Ansonia  
Beacon Falls  
Berlin  
Bolton  
Bozrah  
Branford  
Bridgeport  
Bridgewater  
Canterbury  
Chaplin  
Columbia  
Cornwall  
Derby  
East Haddam  
East Hartford  
East Haven  
Enfield  
Fairfield  
Hampton  
Harwinton  
Hebron  
Kent  
Lebanon  
Lisbon  
Manchester  
Meriden

Milford  
Monroe  
Montville  
New Britain  
New Haven  
New London  
New Milford  
Portland  
Preston  
Seymour  
Sherman  
Stamford  
Sterling  
Stratford  
Thomaston  
Thompson  
Torrington  
Trumbull  
Voluntown  
Wallingford  
Waterbury  
West Haven  
Willington  
Windsor Locks  
Wolcott

INDIRECT SOURCES  
OF AIR  
POLLUTION  
REGULATED SOON



STATE  
AIR POLLUTION  
ALERTS

DEP Commissioner Costle has announced that the Department's "indirect source" air pollution regulations will become effective on October 1, 1974.

Commissioner Costle explained, "The regulations had been scheduled to become effective on June 1, but changing federal deadlines and the inability of the federal government to provide the State with necessary technical support forced us to push back the date. Our Department has had to develop the evaluation process for this highly technical program on its own. The program is simply not ready for implementation, and it is far too important a program to implement prematurely."

The federal government has mandated that states formulate procedures to regulate "indirect sources", formerly called "complex sources". An indirect source is a source which may or may not pollute directly, for example, boilers or incinerators, but which attracts associated forms of pollution such as automobiles with their exhaust emissions. Indirect sources include shopping centers, sports stadiums, parking lots and highways. The Connecticut regulations for these were written last summer, and public hearings on them were held throughout the State.

DEP will evaluate proposed indirect sources to determine their potential impact on air quality. If the addition of a new indirect source to a highly polluted area will result in exceeding the federally set ambient air quality standards, DEP is required by federal law to turn down the building of that project, unless modification can be made that will decrease expected pollution from the source.

As long as federal air quality standards are not exceeded, DEP cannot refuse permission to build. However, it can provide the towns with an evaluation of how much of the available air resources will be used up if the development is built.

On June 5 and July 2, 4, and 9, DEP declared air pollution alerts throughout the state due to stagnant weather conditions and higher than normal concentrations of pollutants.

An air pollution alert is the second in a four stage sequence of air pollution emergency episode procedures. It is issued when smog levels first exceed the national air quality standard set to protect public health. DEP Commissioner Costle said that the 225,000 residents of Connecticut who suffer from respiratory diseases may experience increased respiratory symptoms during these periods of high air pollution concentrations. He suggested that sufferers of respiratory ailments restrict outdoor physical activity during the alerts.

Smog, known technically as photochemical oxidants, is produced when hydrocarbons and nitrogen oxides react in the presence of sunlight.

The primary smog producer is the automobile. The automotive pollutant problem in Connecticut has reached serious levels. The most effective way to reduce pollutant levels is to reduce driving. The Commissioner urged Connecticut citizens to use public transportation and car pools wherever possible during these alert periods.

This information will be invaluable to towns which must plan for the wise use of their limited air resources. It is therefore essential that the Department and the towns cooperate in factoring air quality considerations into the planning process.

Copies of the regulations can be obtained by writing the DEP Air Compliance Unit, address on the masthead or by calling 566-4030.



# DEP

## AT WORK

### AIR REGULATION VARIANCE

A public hearing on a request by Connecticut Light and Power Company (CL&P) and the Hartford Electric Light Company (HELCO) for a variance from Connecticut air pollution regulations to burn coal at the Montville generating station until October 31, 1974 was held June 19.

CL&P and HELCO sought to extend an existing variance, granted on November 30, 1973, from State Regulations for the Abatement of Air Pollution which require stationary sources of air pollution to limit sulfur oxide and particulate emissions.

Until this past winter, utilities and industries in Connecticut had been complying with the regulations by burning fuel with less than .5% sulfur content. The Arab oil embargo cut off the supply of low sulfur oil, causing some of the utilities to request a variance to shift to the use of high sulfur oil in some cases and coal in others.

The Department granted the variance last winter and agreed last spring to allow the utilities to burn off coal stocks purchased during the winter.

According to utility officials, the current request for an extension is being made so the companies can burn the coal in stock. The variance application claims that the coal could not be burned within the period specified by the previous variance, because the moisture content of the coal was higher than expected and the burn rate was therefore lower than expected. DEP will announce a decision shortly. (See story page 16.)

### WASTEWATER PLANT OPERATOR CERTIFICATION

DEP has amended the regulations concerning certification of wastewater treatment plant operators in Connecticut. The amendments require all wastewater treatment plants in the state (as defined in the original regulations) to have qualified wastewater treatment plant operators who are certified to operate their specific plant, or one of a higher grade.

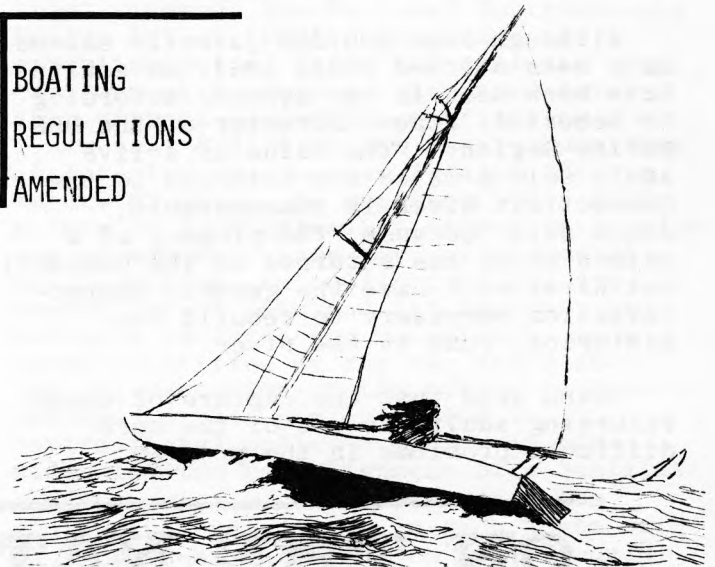
The Commissioner must classify wastewater treatment plants into categories based on type and complexity of plant and the design population equivalent. There are seven specified grades of plants and operators.

To be certified, operators must pass a written exam given by DEP. Applications for the exam, available from the Department, must be filed with it one month before the date the exam is to be given. Applicants who fail to pass may request another exam after a six month interval. Only two exams of the same grade are permitted within an 18-month period. The Commissioner may, under specified circumstances, issue certificates without examination once certification is gained; it is permanent unless revoked by the DEP Commissioner or invalidated automatically two years after termination of employment.

The new regulations also provide that the Commissioner appoint an advisory committee of at least six persons including certified operators, DEP staff, and city or town manager or the equivalent. The committee will advise and assist the Commissioner in the administering of the certification program, including reviewing the classification of the waste treatment plants, encouraging certification of operators who are not required to be so, promoting regular training schools and programs, reviewing and assisting in the preparation of the written examinations, and reviewing certificate revocations.

For copies of these regulations write DEP, Room 110, address on the masthead.

### BOATING REGULATIONS AMENDED



DEP also amended its boating safety regulations this year. Among other things, the amended regulations include specifications and requirements concerning markers, races, regattas, water carnivals, boating accidents, water skiing, flotation devices, fire extinguishers, motorboat registration, vessel speed, and restricted areas. For copies of these regulations write to DEP, Room 110, address on the masthead.

## WANTED, DEAD OR ALIVE : RETURNING ATLANTIC SALMON

A total of \$3,400 is offered by the Connecticut River Anadromous Fisheries Restoration Program to reward commercial and sport fishermen for turning in any returning adult Atlantic salmon taken this year in the Connecticut River. Five hundred dollars is being offered to the first fisherman to take in a live adult Atlantic salmon taken in the Connecticut River or its tributaries. One hundred dollars will be offered for each of the next 19 live adult fish turned in, and \$25 will be offered for each of the first 40 adult salmon turned in which cannot be kept alive.

A cooperative program to restore shad and salmon to the Connecticut River has been under way since 1967. The fisheries agencies of Connecticut, Massachusetts, Vermont and New Hampshire and the Federal Bureau of Sports Fisheries and Wildlife and the National Marine Fisheries Service have entered into the program to return Atlantic salmon to the river and restore American shad to their historical range in the river. The major activities of the program are construction of fishways and introduction of juvenile salmon.

Although over 500,000 juvenile salmon have been stocked since 1967, no adults have been seen in the system, according to Robert A. Jones, Director of the DEP Marine Region. "The value of a live adult salmon which has returned to the Connecticut River is immeasurable," Jones said, because "the progeny of a salmon which has returned to the Connecticut River will have the genetic characteristics necessary to rebuild the historical runs in the river."

Jones said that the capture of these returning adults is one of the more difficult problems in the program.

"The Connecticut River is a big piece of water and difficult to sample. Although half a million fish stocked seems like a large number, the number expected to return in any one year is very small," he said.

The State's commercial fishing regulations make it illegal for commercial fishermen to take salmon with nets, he explained, but under this program the commercial fishermen will have the same right to a reward as the sport fishermen. Although some effort will be necessary to keep any captured salmon alive, Jones said the reward program should provide sufficient incentive.

Fishermen will be required to provide an affidavit attesting to the time and place of the capture and the rewards will be paid upon satisfactory verification of the capture by a member of the DEP staff. Some juvenile salmon stocked this year are still in the system. Although some of these fish are tagged, they do not qualify for a reward. The reward offered for a tag return will only be paid for fish returned from the sea. Anglers are urged by the DEP to release any juvenile salmon they may catch, unharmed if possible.

Juveniles are difficult to rear and therefore expensive, and the success of the program depends on these small salmon being allowed to leave the river.

Persons taking adult salmon should immediately contact DEP or any of its Conservation Officers.



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## **ON THE NATIONAL SCENE**

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### BATTLE FOR LAND USE BILL ON CAPITOL HILL

The National Land Use Bill will not be considered on the floor of the House this year - and a mere seven votes made the determination.

The vote came on a motion to report the bill out of committee on to the floor for a debate by the full House membership.

The motion was defeated, 211-204, insuring that the bill died in committee.

Five of the seven negative votes came from New England - three from Connecticut, and two from New Hampshire.

The Senate has already passed a bill similar to the one defeated in the House committee, the House itself has been considering this bill in various forms for



for three years.

The bill, or some form of it, will undoubtedly be presented the next time around in Congress. Such an important issue deserves extensive discussion.

For those who were not aware of the details of the defeated bill, the following summary is presented. It is taken from a report on the legislation in the May 23 Conservation Report of the National Wildlife Federation.

"Traditionally, land use decision making has been delegated by states entirely to local governments. A major premise of the legislation under consideration - HR 10294 - is that some decisions are of more than local significance in their impact and should be made from a perspective which takes the interest of all those affected into account. Among such decisions, for example, would be the development of incompatible uses such as housing in close proximity to regional facilities such as airports and the needless destruction of regionally important natural resources. H.R. 10294 requires states to develop processes to identify and control such decisions of more than local concern where experience has shown that planning and regulations from a purely local perspective often fail to adequately reflect the interests of neighboring jurisdictions or the region.

"The bill establishes a grant-in-aid program authorizing the Secretary of the Interior to make grants to states to develop land use planning processes. To qualify for grants, a state must develop a land use planning process which focuses on four types of land use decisions of more than local concern. States will be required to identify and review decisions now being made by local governments which are of more than local significance. Decisions the state determines to be only of local concern would not be affected.

"The four types of decisions the state must focus on to determine whether, in individual cases, they are of more than local concern are: (1) development in areas the state designates as being of critical environmental concern; (2) key facilities, including highways, airports and energy facilities; (3) developments of regional benefit; and (4) large scale developments. In administering the program to control these decisions, states are free to choose a number of options: (1) direct state planning and implementation; (2) local decision making subject to state review; or (3) any combination of the above.

"There is no provision for a Federal role in planning or implementing any

part of the state program. The Federal role, apart from administering the grant program, is to "get the Federal house in order" to assure consistency of Federal projects with state and local plans, using established A-95 review procedures as the coordinating mechanism.

"Federal review of state programs is limited to the issue of whether the state has developed processes for identifying and implementing decisions of more than local concern, which meet the requirements of the Act, including provisions for participation of landowners, the public, and representatives of affected jurisdictions. The bill does not contemplate any form of substantive Federal review of state plans or regulatory decisions." - National Wildlife Federation Conservation Report May 23, 1974.

## ENVIRONMENTAL CENTERS

Another bill of interest did pass the Senate - Connecticut nature centers and educational institutions might be interested in potential support for an extension or support of their existing roles.

Again the summary is from the NWF's Conservation Report (June 21).

S. 1865--ENVIRONMENTAL CENTERS ACT OF 1974". Amends the National Environmental Policy Act of 1969 to encourage the establishment of State and regional environmental centers. Reported favorably with an amendment constituting a new text 6/7/74 by the Senate Committee on Interior and Insular Affairs (Senate Report 93-905). As reported, this bill refers to four principal stages in developing an adequate base for environmental policy-making: (a) collection and dissemination of data and information; (b) analysis of data; (c) research to meet needs identified by the two steps above; and (d) education of the public to insure informed public participation in environmental policy-making. It provides for the establishment of a qualified environmental research and education center in a university in each State or on a regional basis. Each center would conduct research, training and environmental activities in its area. Federal funding would be made through grants: \$7 million the first year following enactment; \$10 million for the second year; \$15 million for the third; and \$20 million for each of the next two years. In addition, \$60 million would be offered to the States on a matching basis. Passed by the Senate 6/12/74 with an amendment, and referred to the House.

Also, the Environmental Education Amendments of 1974 extended the original act for three more years, authorizing \$5 million for fiscal '75, \$10 million for fiscal '76 and \$15 million for fiscal '77.

The National Wildlife Federation's Conservation Report is an excellent weekly summary of Congressional environmental actions. Conservation commissions especially might be interested in receiving the report. Subscriptions are free, financed by the sale of wildlife conservation stamps. From NWF, 1412 Sixteenth Street, N.W., Washington, D. C. 20036.

## PUBLICATIONS

Available from DEP, Room 110, address on masthead, unless otherwise noted.  
Civil Penalties Regulations - General Council's Office, Rm. 155  
"The Carpenter Ant" - Pesticide Compliance, Rm. G-3A  
Pesticide Regulations - Pesticide Compliance, Rm. G-3A  
Indirect Source Air Pollution Regulations - Air Compliance, Rm. 127  
Wastewater Plant Operator Certification Regulations  
Boating Regulations

## CALENDAR

### Public Hearings, deadlines for comment, noteworthy dates

Hearings may be rescheduled, or planned too late for the Bulletin publication date; this does not, therefore, pretend to be a complete or official list. It is wise to call and check scheduling before attending a hearing, for details call 566-3489 or number listed. All documentation may be seen at DEP unless otherwise noted. Some hearings may be completed before you receive this Bulletin; they are included to provide a continuous record of department activities.

June 12-10 a.m. Hearing on the Connecticut Water Pollution Program Plan and Construction Grant Priority List for Municipal Sewage Treatment Works for fiscal '75. Copies of the plan and priority list available for inspection in room 129, DEP. ROOM 558, STATE OFFICE BUILDING, HARTFORD.

June 13-7:30 p.m. Hearing on application of Forest Grove Associates to construct a bulkhead, place rip-rap and fill docks and piles in the Mystic River in Stonington - TOWN HALL, STONINGTON.

June 19- 10 a.m. Hearing on application

of Connecticut Light and Power Company and Hartford Electric Light Company to extend their emergency variance to permit burning of coal at the Montville facility until October 31, 1974.

June 24-10 a.m. Hearing on application of the Northeast Nuclear Energy Co. (Formerly the Millstone Point Co.) to construct and maintain an intake structure for cooling and circulation water to be used by the Millstone Nuclear Power Station Unit #3, construct a temporary cofferdam around proposed site, dredge and dispose of dredged material. CLARK CENTER AUDITORIUM, MITCHELL COLLEGE, NEW LONDON.

June 26-10 a.m. Hearing on application of the town of Old Saybrook to discharge 4,000 gallons per day of treated septic wastewaters into groundwaters in the watershed of the Connecticut River. ROOM 129, STATE OFFICE BUILDING, HARTFORD.

June 26-11 a.m. Hearing on application of the town of Essex to discharge 6,000 gallons per month of treated septic wastewaters into groundwaters in the watershed of the Connecticut River. ROOM 129 STATE OFFICE BUILDING, HARTFORD.

June 26-7:30 p.m. Hearing on application of Reed S. Newcomb, President, Duck Island Development Corp. to construct a floating dock on Parcel 204, Ecological Unit 45, Subdivision 1 and in the waters of the Menunketesuck River in Westbrook - WESTBROOK JUNIOR AND SENIOR HIGH SCHOOL, WESTBROOK.

June 27-7:30 p.m. Hearing on application of Heritage Yacht Harbor, Inc. to dredge and construct a bulkhead to form a yacht basin on Parcel 405A in Ecological Unit 40, Subdivision 1 on the west side of the Hammonasset River in Madison, TOWN HALL, MADISON.

June 30-Deadline for comments on application of Rossiter E. Lord to construct and install bulkhead, dredge and fill to stop erosion of land and filling in of cove in the northern end of South Cove at Essex. Information from 566-5308.

July 2-10 a.m. Hearing on application of the town of Clinton to discharge 8,000 gallons per month of treated septic wastewaters into groundwaters in the watershed of the Hammonasset River. ROOM 129 STATE OFFICE BUILDING, HARTFORD.

July 5-10 a.m. Deadline for comments on application of Anderson Landing, Inc. to construct and maintain piling and to dredge and maintain an irregular area of material to be disposed of behind proposed bulkhead in Milford



Harbor, Milford, Information from  
566-5308.

July 9-10 a.m. Hearing on application of the town of Columbia to discharge leachate from the operation of a sanitary landfill into subsurface waters, ROOM 129, STATE OFFICE BUILDING, HARTFORD.

July 9-10 a.m. Hearing on application of Vulcan Scrap Metal Co. for variance to construct and operate an incinerator in Stamford for which construction application was denied by DEP on February 5, 1974. Denial was based on photochemical oxidant levels: in Stamford which presently exceed the national ambient air quality standards, necessitating a reduction of hydrocarbon emissions. ROOM 221, STATE OFFICE BUILDING, HARTFORD.

July 9-11 a.m. Hearing on application of Menorah Kosher Poultry, Inc. to discharge 84,000 gallons per day of treated poultry processing wastewater in the Willimantic River. ROOM 129, STATE OFFICE BUILDING, HARTFORD.

July 9 - August 23 - Four day classes; age 7 - adult. Classes covering a wide range of subjects; nature photography; reptiles; amphibians; bird identification; plant studies/organic gardening; nature craft; taxidermy, etc. Fee. Information from Connecticut Audubon Society, 2325 Burr St., Fairfield, Conn. 06430 259-6305.

July 16 - Hearing on intent of DEP Commissioner to establish by order the bounds of wetlands on the north side of Beebe Cove in the town of Groton. A DEP representative will be available to answer questions at the Groton Town Hall 9:00 a.m. - 12:00 noon and 1:00 p.m. - 4:00 p.m. on July 16. Copies of the map available at Town Hall. FITCH JR. HIGH (7:30 p.m.).

July 17 - Deadline for comment on application of the town of Stonington to install and maintain an iron sewer pipe outfall, dredge and rip-rap a trench on the west bank of the Pawcatuck River, Stonington and install a pump station. Information from 566-5308.

July 17-7:30 p.m. Hearing on intent of the DEP Commissioner to establish the bounds of the wetlands on the Mystic River in the towns of Groton and Stonington. Copies of map and biological report are available at the Town Halls, Groton and Stonington. A DEP representative will be available at the Groton Town Hall to answer questions. July 17 9:00 a.m. - 12:00

and 1:00 - 4:00 p.m. FITCH  
JUNIOR HIGH SCHOOL, GROTON.

July 17-7 p.m. Hearing on issuance of orders equivalent to NPDES permits to Acme Cotton Products Co., Inc. to discharge cotton fiber wash and bleaching rinse into Whetstone Brook, Killingly. H.H. ELLIS TECHNICAL SCHOOL, CAFETERIA BUILDING, DANIELSON.

July 18 - Hearing on intent of DEP Commissioner to adopt civil penalties regulations.  
JUDICIARY ROOM                      COUNCIL CHAMBER  
Third Floor                      Third Floor  
State Capitol                      Municipal Bldg.  
Hartford, Conn.                      New London, Conn.  
10:00 a.m.                      7:00 p.m.

PUBLIC HEARING ROOM              CLOONAN MIDDLE  
First Floor                      SCHOOL  
200 Orange St.                      Auditorium  
Hall of Records                      11 West North St.  
New Haven, Conn.                      Stamford, Conn.  
(Street parking,                      7:00 p.m.  
enter at rear of  
bldg.)  
7:00 p.m.

SEE PAGE 3 FOR DETAILS

July 19 - Deadline for comment on application of John Russo, Trustee, Weaver Assoc., Inc. to dredge and maintain area, restore and place rip-rap on the west bank of the Connecticut River in Hartford. Information from 566-5308.

July 19 - 10 a.m. Hearing on application of Mobil Chemical Co., Plastics Division for variance from air pollution regulations to operate the precoat section of its Stratford plant. ROOM 221 STATE OFFICE BUILDING, HARTFORD.

July 19-10 a.m. Hearing on application of Columbia Builders, Inc. of Hartford for permit to discharge approximately 20,480 gallons a day of treated septic effluent from an apartment complex into the groundwaters of the Skungamaug River watershed in Tolland. ROOM 129, STATE OFFICE BUILDING, HARTFORD.

July 21 - Deadline for comment on application of Mrs. Frederick A. Ekeblad to construct and maintain a reinforced concrete pier on the North Shore of Long Island Sound at Niantic.

July 22-Aug 3. Natural History Day/Mobile Camp. Sponsored by the Litchfield Nature Center and Museum. The first week will be a day camp in Litchfield taking local field trips, collecting rocks, examining water life samples, exploring a cave, canoeing and banding birds. The second week will be spent camping at Acadia National Park on Mount Desert Island, Maine.



For teachers and youth group leaders. Fee. Information from the Litchfield Nature Center and Museum, Inc, Litchfield, Conn. 06759.

July 24 - Deadline for comment on application of Brown Boat Works, Inc. to construct and maintain a pile, timber bulkhead and 5 finger floats in the Housatonic River in Stratford.

July 25-1 p.m. Hearing on application of Seymour's Sand and Stone, Inc. of Fitchville for permit to make subsurface discharges of leachate from the operation of a sanitary landfill. ROOM 129, STATE OFFICE BUILDING, HARTFORD.

July 30-10 a.m. Hearing on application of Chester House of Chester to make subsurface discharge to the groundwaters in the watershed of the Connecticut River from a 4,500 gallon septic system of an apartment house. ROOM 129, STATE OFFICE BUILDING, HARTFORD.

July 30-11 a.m. Hearing on application of Town of Deep River for permit to discharge 5,000 gallons a day of treated septic wastewaters in the groundwaters in the watershed of the Connecticut River from a septic waste disposal system. ROOM 129, STATE OFFICE BUILDING, HARTFORD.

August 2-10 a.m. Hearing on application of Professional Leasing Company of North Haven for permit to discharge 2,000 gallons of treated sanitary sewage per day from its factory into groundwaters in North Haven located on the east side of Quinnipiac River in the Wharton Brook Industrial Park. The area has been designated a high yield aquifer in the State's proposed plan of conservation and development. ROOM 129, STATE OFFICE BUILDING, HARTFORD.

August 8-7:30 p.m. Hearing on application of Anderson's Landing, Inc. to construct sheet piling and dredge an area in Milford Harbor. CITY HALL AUDITORIUM, MILFORD.

August 12-17 - Environmental Education Workshop "A School/Community Approach to Environmental Knowledge." Sponsored by the DEP Forestry Unit. Eastern Conn. State College and the U.S. Forest Service. The course content includes ways to discover basic facts, techniques of leadership, development of educational programs, skills for community involvement and development of environmental values. Fee. Credit offered. Information from Lois Kelly, James L. Goodwin Forest Conservation Center, Hampton, Conn. 455-9534. JAMES L. GOODWIN FOREST CONSERVATION CENTER, HAMPTON, CONN.

August 15 - Deadline for comments on application of New England Steamboat Lines, Inc. of Chester for permit to construct a bulkhead and two piers south of the East Haddam Bridge in Haddam, to be used as additional docking facilities for commercial passenger vessels. For further information call 566-5308.

August 16-10 a.m. Hearing on application of the Village Sewer District of Fairfield to discharge 100,000 gallons of treated sanitary sewage per day from a condominium complex into the Housatonic River in Milford. ROOM 129, STATE OFFICE BUILDING, HARTFORD.

August 22-25 - Summerfest, sponsored by the Nature Center for Environmental Activities, concerts, arts and crafts, dancing, environmental workshops August 24, sloop Clearwater docked in Norwalk. Free. For information call 227-7253. NATURE CENTER, WESTPORT AND SITES IN WESTPORT AND NORWALK.

## AIR REGULATION VARIANCE DECISION

As this Bulletin went to press, DEP Deputy Commissioner Eckardt Beck announced his decision (see story page 11) to deny the variance extension requested by CL&P and HELCO, subsidiaries of the Northeast Utilities Service Company, to burn coal at its Montville generating station. The hearing was held on June 19.

Beck explained that meteorological conditions in the summer are such that extended coal burning might push Groton and Norwich over the health ceiling for airborne particulate matter set by the federal government.

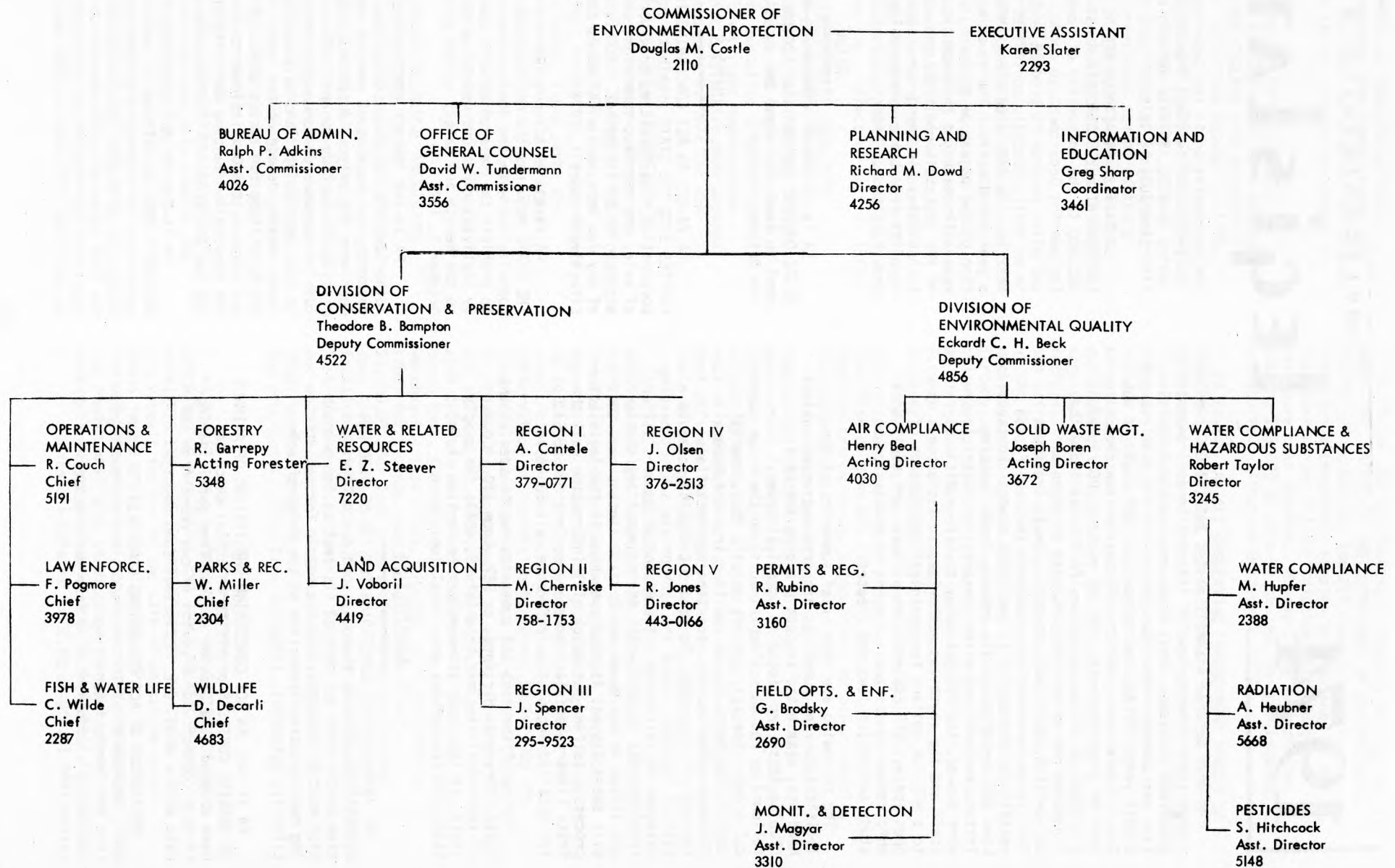
He said, "Based on the record from the recent hearing, I am unable to conclude that the health and safety of the public and the quality of the environment can be protected if coal is burned in Montville this summer and fall. Because there is a substantial question as to whether the air quality in nearby urban "hot spots" can be maintained if coal were burned during the summer, I must deny this variance request."

Beck also noted that the federal policy on coal burning is at this time still unclear. The selection of which generating stations should be burning coal is one which should be based on regional fuel distribution networks, regional energy needs and regional air quality considerations, he said, and it would be foolish for the State of Connecticut to begin to set regional or national policy for coal burning on an ad hoc basis. He said he based his decision on three considerations - the coal can be carried as inventory, the fuel shortage has abated, and federal policy on the matter is unclear.



STATE OF CONNECTICUT  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

July, 1974 organization chart with telephone numbers - all extensions preceeded by 566.



# 1974

ENVIRONMENTALLY - RELATED

# Legislation

The 1974 General Assembly passed and the Governor signed the following laws of interest to environmentally concerned citizens. Most major environmental legislation was passed in previous years - in the past two and a half years DEP has been given over 500 pages of new law to administer - but the '74 session saw several laws of great interest. PA 328 requires DEP to adopt a program of noise regulation, PA 311 rescinded the scheduled ban on sale of phosphate detergents, authorizing additional money for sewage treatment facilities to remove the phosphate instead; PA 285 established procedures to deal with energy shortages. Laws dealing with utility company lands, smoking, litter, and soil and water conservation districts were passed, the CEQ got money to hire additional staff and the state was authorized to issue bonds up to a million dollars for municipal acquisition of open space. DEP conservation officers got additional enforcement powers and a law review commission to study and revise laws was created.

The following are very brief summaries of the legislation. The summaries are arranged under subject headings; within the subject grouping the PA's (Public Acts) are listed in numerical order, followed by the SA's (Special Acts) in their own numerical order. Special acts are exactly that, special legislation which is not codified into the General Statutes - for example, one-time appropriations for specific purposes. To find out what happened to a bill of interest, check the appropriate subject heading category in this issue. The PA and SA numbers differ from the bill numbers which the proposed legislation was listed in the March and April Bulletins. If the bill isn't listed, it died somewhere in the legislative process - to find out quick bill information call the State Library Legislative Reference Section 566-5736; for detailed legislative reference call 566-4544.

Copies of the acts and summaries may be seen at the State Library in Hartford, or DEP, Room 110. Copies of individual laws may be obtained, while the supply lasts, at the Legislative Reference Section of the State Library, or try your local legislator.

## AGRICULTURE

PA 74-136 AN ACT CONCERNING TESTING OF SEED FOR GERMINATION requires that any seed not sold within nine months from the date of its testing for germination must be retested, and the sample for such testing must be taken from stock at the point of sale. Effective October 1, 1974.

PA 74-143 AN ACT CONCERNING THE TESTING OF ANIMALS IN DRAWING CONTESTS prohibits an animal which has been drugged at a drawing contest from participating in such contests for a period of two years from the date of the drug test. Effective upon passage.

PA 74-258 AN ACT CONCERNING STATE AID FOR FARM WASTE MANAGEMENT SYSTEMS increases the maximum payment from the Commissioner of Agriculture to a farmer for completing a component of a farm waste management system from \$2,500 to \$3,500. It also increases

the appropriation to the Department of Agriculture for the purpose of this act from \$30,000 in the fiscal year ending June 30, 1974 to \$40,000 beginning July 1, 1974. Effective July 1, 1974.

SA 74-112 AN ACT CONCERNING A PILOT PROJECT FOR ENVIRONMENTALLY CONTROLLED PLANT GROWTH appropriates \$50,000 to the University of Connecticut's Agricultural Engineering Department to conduct a feasibility study and pilot program to produce certain vegetable crops in an environmentally controlled plant growth system near heavily populated areas throughout the state on a year-round basis. The study will include a determination of the magnitude of fresh, canned, and frozen vegetables marketed in Connecticut, an identification of the most suitable crops and a determination of the technologies and energy necessary to develop maximum benefits from the environmentally controlled plant growth systems. Effective October 1, 1974.

## ALGAE

SA 74-77 AN ACT CONCERNING AN APPROPRIATION FOR ALGAE CONTROL appropriates \$20,000 to DEP for reimbursement to towns for algae and aquatic weed control. Effective October 1, 1974 ;

## ANIMALS

PA 74-22 AN ACT CONCERNING THE IMPORTATION OF PUPPIES INTO THE STATE prohibits any person, firm or corporation from importing or exporting, for the purposes of sale, any dog less than eight weeks old unless it is accompanied by its mother. It also prohibits the sale of any dog less than eight weeks old in the state. Effective October 1, 1974.

PA 74-89 AN ACT CONCERNING THE SALE OF PETS IN THE STATE requires the Commissioner of Agriculture, after consultation with the Commissioners of Health and DEP to prohibit the sale of animals which would be endangered by captivity, or those which are deemed to be injurious to the health and safety of the public. Effective October 1, 1974.

PA 74-151 AN ACT CONCERNING THE MANAGEMENT OF DEER authorizes the DEP Commissioner to issue regulations governing the hunting of deer in the state. Previously, deer were the only wild species exempt from the Commissioner's hunting control. The act restricts the latitude of an owner of land used for agricultural purposes to take deer on his land by requiring such deer must be found causing damage on the land. It repeals the season set by statute for taking deer with bow and arrow, and requires the Commissioner to establish by regulation the seasons for hunting deer with shot gun, muzzleloader, and bow and arrow. Effective January 1, 1975

PA 74-335 AN ACT CONCERNING ESTABLISHMENT OF A BREEDER'S FUND establishes a Connecticut Breeder's Fund; authorizes the Department of Agriculture and the Commission on Special Revenue to offer cash awards from the Fund to breeders of Connecticut horses that win or place high in races in the state where pari-mutuel betting is permitted. It requires the Commissioner of Agriculture



to administer the registration of Connecticut bred horses in the state, and requires the Commissioner and Commission to use part of the Fund for programs to promote the equine industry in the state. Effective October 1, 1974.

SA 74-16 AN ACT EXTENDING THE REPORTING DATE FOR THE COMMISSION TO STUDY THE ESTABLISHMENT OF A COLLEGE OR VETERINARY MEDICINE IN NEW ENGLAND from December 31, 1973 to December 31, 1974. Effective October 1, 1974.

SA 74-88 AN ACT CONCERNING THE ALLOCATION OF INTERIM FUNDING FOR THE CONNECTICUT EQUINE ADVISORY COUNCIL appropriates \$5,000 to the Department of Agriculture for fiscal 1975, for the Connecticut equine advisory council to cover expenses of the Council incurred in carrying out its duties under Public Act 73-547. Effective October 1, 1974.

### BOATING

PA 74-302 AN ACT CONCERNING MOTORBOAT DEALER REGISTRATION requires a marine dealer to attach an affidavit stating that he is engaged in the business of manufacturing, selling or repairing new or used motorboats and that he has an established place of business, to any application to the Commissioner of Motor Vehicles to obtain marine dealer's identification numbers. It requires each marine dealers' certificate to be renewed and specifies how. Effective July 1, 1974.

### COUNCIL ON ENVIRONMENTAL QUALITY

PA 74-271 AN ACT CONCERNING STAFF FOR THE COUNCIL ON ENVIRONMENTAL QUALITY ALLOWS THE Council on Environmental Quality to employ an executive director and necessary staff and consultants, and appropriates \$10,000 to carry out the act. Effective upon passage for the hiring of staff, and July 1, 1974 for the appropriation.

### DEPARTMENT OF ENVIRONMENTAL PROTECTION

PA 74-83 AN ACT ALLOWING WOMEN TO PARTICIPATE IN THE PROTECTION & MANAGEMENT OF FORESTS allows the Commissioner of Environmental Protection, in the course of his duty to protect and manage state parks and forests to furnish female as well as male personnel to carry out a protection or management plan. The act also allows forest rangers or fire wardens to summon female as well as male state residents between age eighteen and fifty to help fight forest fires. Effective October 1, 1974.

PA 74-187 AN ACT CONCERNING TECHNICAL AMENDMENTS TO STATUTES ADMINISTERED BY THE COMMISSIONER OF ENVIRONMENTAL PROTECTION deletes an obsolete reference to the authority of the now defunct Water Resources Commission to grant or deny permits to remove sand and gravel from lands under tidal and coastal waters of the State; the DEP Commissioner currently has this authority. It allows the Commissioner to delegate authority to sewer authorities - in addition to State agencies, municipal building officials or municipal or district directors of health presently listed in State law - to issue permits or orders for the discharge of pollutants into the waters of the State. It requires that the State Forester need only examine the application for classification of land as forest land, and not the land itself. It permits the Commissioner to designate certain people to act as hearing examiners in his absence at Wetlands proceedings; Wetlands hearings are currently the only proceedings under the Commissioner's jurisdiction where such authority does not exist. Effective October 1, 1974.

PA 74-188 AN ACT CONCERNING REPAIRS OF REAL ASSETS UNDER THE CONTROL OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION authorizes the DEP Commissioner to contract for alterations, repairs or additions to any real asset under his jurisdiction which does not cost more than \$50,000. However, any expenditure costing \$25,000 or more is subject to open bidding procedures. Effective October 1, 1974.

PA 74-245 AN ACT CONCERNING ENFORCEMENT POWERS OF CONSERVATION OFFICERS AND PATROLMEN gives the same enforcement authority to all DEP enforcement officers (conservation officers, special conservation officers, and patrolmen). It allows the DEP Commissioner to appoint any Department employees as special conservation officers or patrolmen if they complete a police training course or an equivalent course approved by the State Police Commissioner. It also increases the power of special conservation officers and patrolmen by allowing them to enforce provisions of the Penal Code dealing with assault, threatening, reckless endangerment, burglary, arson, reckless burning larceny, criminal impersonation, robbery, false statements, hindering prosecution, interfering with an officer, failure to assist a peace officer or fireman, escape from custody, breach of peace, disorderly conduct, and harassment.

The act adds the requirement that these enforcement officers must have probable cause to believe that fish or game are illegally being kept before they can search boats, automobiles, or other vehicles for these things.

It increases the maximum fine for violation of DEP regulations concerning the preservation of the environment from \$20 to \$50. It prohibits attachments (the taking of property into legal custody by an officer by virtue of a judicial order) against the real or personal property of any of these enforcement officers for actions taken in the performance of their duties. Effective October 1, 1974.

SA 74-90 AN ACT CONCERNING THE AUTHORIZATION OF BONDS OF THE STATE FOR CAPITAL IMPROVEMENTS AND OTHER PURPOSES empowers the state bond commission to authorize the issuance of bonds of the state for specified departments. Bonds for DEP purposes may be issued up to \$1,000,000 for grants to municipalities for acquisition of open space and other lands for conservation or recreation purposes, \$4,500,000 for land acquisition for recreation and conservation, \$1,720,000 for improvements at recreation areas and state parks, \$400,000 for bicycle trails, \$100,000 for repairs and improvements to state owned dams, \$30,000 for planning for additional warehousing facilities, \$10,000 for a feasibility study for a canoe camp along Pachaug River, \$1,000,000 for land acquisition to establish West Rock Ridge State Park, \$500,000 for boat launching facilities, \$500,000 for development of a linear park along proposed route 7, \$20,000 for beach and erosion control projects, and \$3,400,000 for flood control projects. The act specifies the bonding procedures. Effective October 1, 1974.

### DETERGENTS

PA 74-311 AN ACT CONCERNING THE CONTROL OF THE DISCHARGE OF PHOSPHATES AND OTHER AQUATIC PLANT NUTRIENTS INTO THE INLAND WATERS OF THE STATE. This act repeals the ban on the sale of phosphate detergents in the state after June 30, 1974. It authorizes the DEP Commissioner to ban or restrict the sale or use of any detergent in the state, or the use of any detergent in any particular area of the state in order

to protect the state's waters. It also authorizes the Commissioner to increase the amount of a state grant to a municipality which constructs a pollution abatement facility to remove nutrients causing excessive algae growth in the inland waters of the state, so that the total federal and state grant available equals 100 per cent of the cost of the facilities. (NOTE: Under the Federal Water Pollution Control Amendments of 1972 the amount of federal aid to the states for the construction of each individual pollution abatement facility was increased from a maximum of 55% to 75% of the construction costs. Under state law, a state grant to a municipality cannot exceed 30% of the construction costs, and the combined federal-state grant cannot exceed 90%; the municipality would have to contribute at least 10%. This act permits the amount of the combined federal-state grant to cover the total costs of constructing a facility to remove nutrients causing excessive algae growth in the inland waters of the state.) The act provides for fines for violations of bans or restrictions set by the Commissioner. Effective upon passage.

## ENERGY

PA 74-285 AN ACT CONCERNING THE CONSERVATION AND USE OF ENERGY requires the preparation of an Energy Emergency Plan by January 15, 1975 by the Administrator of the newly created Connecticut Energy Agency. This plan may include the suspension and modification of existing statutes, standards and requirements which affect or are affected by energy usage. The General Assembly may disapprove or reject, on or before February 15, 1975, any sections of the plan which suspend or modify existing statutes. All, or any part of, the plan may be implemented by order of the Governor after his proclaiming an energy emergency. Any proclamation may be disapproved by a committee composed of six legislative leaders.

The Governor is further authorized to issue orders dealing with an emergency not covered by the plan, or an emergency occurring prior to the adoption of the plan. He may issue orders such as are permitted by Civil Defense statutes, and these orders may include the suspension and modification of statutes (and other provisions outlined below). Proclamations and orders pursuant to emergencies outside a plan are both subject to disapproval by the legislative committee.

The Agency's Administrator is appointed by the Governor with the advice and consent of the General Assembly. An Energy Advisory Board is established, which shall make an annual report of the state's energy supply and demand, and the Petroleum Products Control Commission (PPCC) abolished. The act also affirms the existence of any energy shortage.

Enforcement measures are specified: The Agency Administrator is authorized to apply for a Superior Court temporary injunction against violations of the act. If a permanent injunction is granted, then the person enjoined is liable to damages of not more than \$10,000 (plus court costs.) This provision is in addition to any other available legal remedy. The section regarding signs on fuel pumps contains its own penalty provision, a fine of from \$50 to \$250 for violators. \$825,000 is appropriated. Effective upon passage.

## ENERGY - FUEL

PA 74 - 53 AN ACT CONCERNING THE RETAIL SALE OF GASOLINE prohibits retail gasoline dealers from requiring customers to pay an extra charge above the posted price for gasoline or purchase an additional product or service in order to purchase gasoline. Violation is punishable by a fine and/or imprisonment.

A dealer's license may be revoked or suspended by the Commissioner of Motor Vehicles, at his discretion after notice and hearing, for any violation. Effective upon passage.

PA 74-208 AN ACT CONCERNING ILLEGAL CREATION OF FUEL SHORTAGES prohibits the illegal creation of fuel shortages and makes it punishable by a fine and/or imprisonment. Any person or firm which contrives to diminish the supply of fuel below consumer needs with the intent to raise fuel prices, adversely affect competition in Connecticut, or violate the State anti-trust or illegal business practices laws would be subject to these penalties.

The act gives the Connecticut Energy Agency the power to investigate violations, hold hearings, issue subpoenas for witnesses and records, institute civil actions against violators, etc. The Attorney General is designated to represent the agency in its suits, and is given the right to take depositions (written testimony of witnesses not available for trial) of witnesses in or out of Connecticut.

Damages for those harmed by violations of the bill are allowed, and the court is given the right to, in its discretion, assess treble damages against defendants. Effective upon passage.

PA 74-212 AN ACT CONCERNING THE DISPLAY OF THE GALLONAGE PRICE OF HOME HEATING OIL BY THE RETAIL DISTRIBUTOR requires retail sellers of home heating oil to include the unit price in the bill given the customer on the day of delivery and other suppliers to notify purchasers, other than the ultimate consumer, of the unit price twenty-four hours prior to delivery. Fines may be assessed for violations. Effective October 1, 1974.

## HUNTING, FISHING & SHELLFISH

PA 74-79 AN ACT CONCERNING ERECTION OF STRUCTURES IN OYSTER GROUNDS requires the DEP Commissioner to give written notice of the receipt of an application to erect a structure in the tidal waters of the State and the issuance of a permit to do so to the owner and lessee of any oyster ground within the waters where the structure is to be erected. The Commissioner was formerly only required to give such notice to the Commissioner of Transportation, the chief executive officer and the chairman of the planning and zoning commissions in each town where the structure is to be located. Effective October 1, 1974.

PA 74-122 AN ACT CONCERNING ESTABLISHMENT OF A NATURAL OYSTER BED AT THE MOUTH OF THE HOUSATONIC RIVER adds approximately 84 acres at the Milford-Stratford town line to the previously designated natural oyster bed. Effective upon passage.

PA 74-134 AN ACT CONCERNING USE OF OTTER OR BEAM TRAWLS IN NORTH COVE prohibits any person from taking any fish in North Cove in Old Saybrook with a beam or otter trawl. Effective upon passage.

PA 74-135 AN ACT CONCERNING THE REGULATION OF FISHING AND HUNTING provides that women shall be no longer included with children and physically handicapped persons as having restricted areas where they exclusively may hunt or fish. Effective October 1, 1974.

PA 74-193 AN ACT CONCERNING THE USE OF PURSE SEINES IN THE LONG ISLAND SOUND repeals the prohibition on the use of purse seines to take fish in Long Island Sound within two miles of the Connecticut Shore, and establishes a buoy-to-buoy boundary in its place. It further prohibits the use of purse seines to take fish on certain days of the year, prohibits the discharge of debris from vessels engaged in fishing with purse



seines, and prohibits such vessels from disturbing oyster grounds, crab pots, or lobster pots. Effective upon passage.

PA 74-348 AN ACT CONCERNING COMMERCIAL FISHING IN INLAND AND MARINE WATERS reorganizes and centralizes the state's commercial fishing laws. The act increases the fees to take blue crabs and lobsters, to register and set various nets, and to register vessels using purse seines to take menhaden. It also establishes a license fee to buy lobsters for resale from commercial lobstermen. The act prohibits the possession of any portion of a lobster on the shore or waters of the state except for those legally brought into the waters of the state for immediate personal consumption. It requires each holder of a license to take lobsters to report to the DEP Commissioner the number, weight, and market value of all lobsters taken. It also bans the taking of sea sturgeon. Effective January 1, 1975.

SA 74-85 AN ACT CONCERNING AN APPROPRIATION FOR A CULCH PROGRAM FOR THE BRIDGEPORT NATURAL OYSTER BEDS appropriates \$10,000 to the Department of Agriculture for such program. Effective October 1, 1974.

SA 74-110 AN ACT MAKING AN APPROPRIATION FOR THE PURCHASE OF SEED ESCALLOPS, PROTECTION OF SEEDED AREAS AND POLICING OF THE HARVESTING OF CLAMS appropriates \$15,000 to the Department of Agriculture: \$5,000 for the purchase of seed scallops and \$10,000 for the policing of seeded areas and shellfish areas where the harvesting of clams is prohibited. Effective October 1, 1974.

## INDIAN AFFAIRS

PA 74-168 AN ACT CONCERNING MEMBERSHIP ON THE INDIAN AFFAIRS COUNCIL increases the membership on the Indian Affairs Council from seven to eight with the addition of one member from the Golden Hill Tribe. It provides for compensation for each member of the Council for their services at a rate of \$25 per day. Effective upon passage.

## LAND

PA 74-184 AN ACT CONCERNING MUNICIPAL DEVELOPMENT PROJECTS transfers from the Connecticut Development Commission to the Commissioner of the Department of Commerce the powers and functions of the Commission with regard to municipal development projects. This includes the authority to approve project plans, make planning grants, authorize the sale or lease of land in project areas, establish priorities among municipalities for development grants, and to make and enforce regulations pertaining to these activities.

The act permits development grants to be used for the demolition, as well as the acquisition and improvement of vacated commercial plants.

It amends provisions concerning the preparation of municipal development project plans to incorporate building use analyses with land use studies.

For bond authorization to finance state and municipal land acquisition see SA 74-90 under DEP heading. Effective upon passage.

## LAND - FARM, FOREST AND OPEN SPACE

PA 74-343 AN ACT CONCERNING THE CONVEYANCE TAX ON THE SALE OF LAND CLASSIFIED AS FARM, FOREST OR OPEN SPACE LAND makes minor technical corrections to the conveyance tax provisions in Sec. 12-504a of the General Statutes: (1) that the conveyance tax shall apply to lands sold within ten years from the time the owner of record acquired title (new words underlined) or the time he first caused such land to be so

classified; (2) that the conveyance tax shall become part of the general revenue of the land owner's municipality; that upon recording of deed and payment of conveyance tax the land will be automatically declassified and a certificate to that effect filed with the town clerk. The land will forthwith be assessed at full market value. Any classification of land under this section shall be deemed personal to the particular owner who requests the classification and shall not run with the land. Effective upon passage.

## LAND - GATEWAY

PA 74-103 AN ACT CONCERNING THE CONNECTICUT RIVER GATEWAY ZONE revises the boundary line of the Connecticut River Gateway Zone and requires that, within 30 days after the effective date of the act, the clerk of any town located in the Gateway Zone which has not previously voted to be governed by PA 73-349, "An Act Concerning the Preservation of the Lower Connecticut River Area", would have to call a meeting of the local legislative body as soon as possible to vote whether the town will be governed by PA 73-349. After at least five of the eight towns located in the Gateway Zone have voted to be so governed, each town's planning commission, zoning commission, or a combination of both, would be required to promptly revise their planning and subdivision regulations, in addition to their zoning ordinances or plan of development as is presently required to meet the standards issued by the Connecticut River Gateway Committee.

The act further requires that whenever a local zoning board of appeals receives an application for appeal concerning land within the Gateway Zone, it must submit a copy of the application to the Connecticut River Gateway Commission and the local conservation commission. The Gateway Commission would then be responsible for reviewing the application to determine whether any of the proposed activities in the application would be detrimental to the environment within the Gateway Zone. In addition, the act names the Gateway Commission and any local conservation commission as aggrieved parties at a hearing before the local zoning board of appeals on an application and for any further appeals to the courts. Effective upon passage.

## LAND - MOBILE HOMES

PA 74-37 AN ACT CONCERNING ASSISTANCE BY GOVERNMENTAL AGENCIES IN MOBILE HOME PARK LICENSE SUSPENSION PROCEEDINGS. Effective October 1, 1974.

PA 74-237 AN ACT CONCERNING TAX RELIEF FOR MOBILE HOMEOWNERS AND RENTERS OF REAL PROPERTY. Effective upon passage.

PA 74-333 AN ACT CONCERNING THE RIGHTS AND OBLIGATIONS OF MOBILE HOME PARK OWNERS AND RESIDENTS. Effective upon passage except for specified sections.

## LAND - PLANNING AND ZONING COMMISSIONS

PA 74-90 AN ACT ALLOWING PLANNING AND ZONING ALTERNATES TO ATTEND MEETINGS AND EXECUTIVE SESSIONS allows Planning and Zoning Commission alternates to attend all meetings and executive sessions of the commissions. Effective October 1, 1974

PA 74-192 AN ACT CONCERNING DISQUALIFICATION OF MEMBERS OF ZONING AUTHORITIES allows a municipality to specify by ordinance a method of choosing an elector to replace a disqualified member of a zoning authority if an alternate member is not available. Effective October 1, 1974.

PA 74-232 AN ACT CONCERNING LEGISLATIVE BODIES AS ZONING COMMISSIONS allows legislative bodies acting as zoning commissions pursuant to ordinance to continue to so act after July 1, 1974 if charter revision to permit this has been initiated rather than completed. Effective upon passage.

SA 74-30 AN ACT VALIDATING ACTIONS OF THE PLANNING AND ZONING COMMISSION OF THE TOWN OF COVENTRY. Effective October 1, 1974

SA 74-116 AN ACT CONCERNING THE VALIDATION OF ACTIONS OF THE ZONING COMMISSION OF THE CITY OF WATERBURY. Effective October 1, 1974.

### LAND - RECORDS

PA 74-28 AN ACT CONCERNING LAND RECORD MAPS deletes the specific requirements in the General Statutes concerning the quality of the material used for land record maps and allows the public records administrator to approve the quality of the material used in these maps. It also changes the required size of these maps to 36 inches long and 24 inches wide or 18 inches long and 12 inches wide. Effective October 1, 1974.

PA 74-56 AN ACT CONCERNING FEES FOR INDEXING LAND RECORDS increases the fees town clerks receive for recording documents, defines "page" and allows documents with smaller type. Effective October 1, 1974.

### LAND - STATE

PA 74-203 AN ACT CONCERNING THE SALE OF STATE OWNED LAND AND OPTION TO PURCHASE BY THE MUNICIPALITY requires that if the state wants to sell land it must notify in writing the chief executive officer of the municipality in which the land is situated so that the municipality will have first option on buying the land. The chief executive officer must give written notice to the state of its desire to buy the land within 45 days of the state's notice of sale, or the municipality will have waived its right to purchase the land. If conditions of sale are agreed upon, the municipality must purchase the land within 60 days after it has given notice of its desire to do so or it will have waived its rights to purchase the land. If the state proposes to sell the land to persons upon terms different than those offered to the municipality, the state will notify the municipality first so that it has first option to buy the land on those terms. Effective upon passage passed over Governor's veto.

PA 74-250 AN ACT CONCERNING THE SURVEYING OF THE BOUNDARY OF STATE PARKS requires the DEP Commissioner to survey the boundaries of all state parks under his jurisdiction by July 1, 1984, and appropriates \$25,000 for this purpose. Effective July 1, 1974.

SA 74-56 AN ACT CONCERNING THE ESTABLISHMENT OF WEST ROCK RIDGE STATE PARK designates the area to be the West Rock Ridge conservation area and provides that the DEP Commissioner acquire the real property within those bounds except for certain land specified in the act. The act establishes that the state has first option to buy that land and establishes the procedures that real property owners and the state must follow. Effective October 1, 1974 except for specified sections.

SA 74-78 AN ACT CONCERNING THE PURCHASE OF ANY PARCEL OF THE EASTERN HIGHLAND RIDGE BY THE STATE appropriates \$100,000 to DEP to allow the state to purchase any parcel of the Eastern Highland Ridge

located in the town of Glastonbury and not already owned by the state. Effective October 1, 1974

SA 74-87 AN ACT CONCERNING RIDING FACILITIES AT PACHAUG AND NATCHAUG STATE FORESTS appropriates \$10,000 to DEP to improve facilities at Pachaug and Natchaug State Forests. Effective October 1, 1974.

SA 74-101 AN ACT CONCERNING THE ACQUISITION OF STILLWATER POND IN TORRINGTON BY THE STATE provides that the DEP Commissioner undertake a feasibility study of the acquisition of Stillwater Pond in the city of Torrington, and the land immediately adjacent to it. The Commissioner will report his recommendations to the General Assembly not later than January 15, 1975. Effective October 1, 1974.

SA 74-107 AN ACT AUTHORIZING THE CONVEYANCE OF STATE LAND IN WINDHAM COUNTY allows the state treasurer to convey to the Windham County 4-H Foundation a parcel of land of approximately nine acres in the town of Pomfret. Effective October 1, 1974.

SA 74-109 AN ACT CONCERNING THE PAVING AND IMPROVING OF ROADS AT CLARA O'SHEA STATE PARK appropriates \$25,000 to DEP for improvement of the Clara O'Shea State Park. Effective October 1, 1974.

### LAND - TAXATION, FINANCE AND HOUSING

See also Land - Farm, Forest and Open Space

PA 74-55 AN ACT CONCERNING TAX RELIEF FOR ELDERLY REAL PROPERTY TAXPAYERS AND RENTERS. Effective upon passage.

PA 74-62 AN ACT PERMITTING 90 PER CENT FINANCING OF INDIVIDUALLY OWNED ROW HOUSES. Effective upon passage.

PA 74-101 AN ACT CONCERNING MAXIMUM SAVINGS BANK MORTGAGE LOANS ON ANY ONE PARCEL OF LAND OR TO ANY ONE ENTITY increases the maximum savings bank mortgage loan allowable on any one parcel of land or to any one entity from one to two percent of the assets of the savings bank. Effective upon passage.

PA 74-123 AN ACT PROVIDING AN EXEMPTION TO THE TOTALLY DISABLED FROM PROPERTY TAXES. Effective July 1, 1974.

PA 74-190 AN ACT CONCERNING TYPE OF PROPERTY ELIGIBLE FOR DEFERRAL OF INCREASE IN ASSESSMENT DUE TO REHABILITATION allows municipalities to enter into agreements with all "real property" owners (i.e., residential, commercial, and industrial) to defer increased tax assessments resulting from rehabilitation of structures or facilities within a designated area. Previously, only "residential properties" in designated areas were eligible for deferral in assessments due to rehabilitation. The act further allows properties to maintain a tax deferred status with a change in purpose of the property if agreed to by a municipality. Formerly, such a property lost its tax deferral if it changed from a residential purpose. Effective upon passage.

PA 74-233 AN ACT CONCERNING THE LISTING OF TAX EXEMPT PROPERTY provides that all property exempted from taxation except public highways, streets and bridges, shall be listed, valued and assessed annually by the assessor of each municipality. The valuation will be added by the assessor to the grand list in such manner as to be separate from the valuation of property not exempted from taxation. Effective October 1, 1974.



PA 74-253 AN ACT CONCERNING THE PERIODIC REVALUATION OF REAL ESTATE BY ALL MUNICIPALITIES provides that beginning October 1, 1978, the assessors of all towns, consolidated towns and cities and consolidated towns and boroughs shall, no later than ten years following the last preceding revaluation of all real property and every ten years thereafter, reassess valuations. Effective October 1, 1974.

PA 74-255 AN ACT CONCERNING THE TRAINING, EXAMINATION AND CERTIFICATION OF ASSESSMENT PERSONNEL creates an unpaid appointed committee of six members to establish a program and procedures for the training, examination and certification of assessment personnel. It also provides that any person may participate in training courses on assessment practices in order to become a candidate for municipal assessor certified by the state tax commissioner. Candidates may be certified as municipal assessors without state training if they are qualified as determined by the state tax commissioner. Effective upon passage.

PA 74-267 AN ACT CONCERNING REIMBURSEMENT TO SCHOOL DISTRICTS FOR EDUCATION OF PUPILS RESIDING ON PROPERTY LEASED BY THE STATE allows towns to be reimbursed by the State for the cost of educating in the public schools children committed to a group home located in that town in the same manner as they are reimbursed for children who reside in a state institution or receiving home. Effective July 1, 1974.

PA 74-275 AN ACT CONCERNING UNIFORM MUNICIPAL ASSESSMENT PROCEDURES AND THE ESTABLISHMENT OF A STATE BOARD OF ASSESSMENT ADVISORS provides for a municipal assessment section, which includes a board of assessment advisors, within the municipal division of the office of the tax commissioner. It outlines the duties of the board as promoting uniformity of assessment practices throughout the state, recommending such practices and procedures, issuing guidelines and preparing manuals and handbooks to assist municipal assessors, and developing standards and tests for certifying revaluation companies and their employees. Revaluation company is defined in the act as any person, firm, association, corporation or other entity other than a municipal assessor or his assistant, which performs property valuations for a municipality for assessment purposes. All revaluation companies must have a certification from the board of assessment advisors by July 1, 1978, to be renewed every five years, to perform any valuation for a municipality for assessment purposes. Effective October 1, 1974.

PA 74-288 AN ACT CONCERNING STATE AID FOR SIDEWALK CONSTRUCTION requires 50% state reimbursement for costs of construction of sidewalks along a route which the State Board of Education has declared unduly hazardous for children walking to school, if the construction of such a sidewalk eliminates the need for the town to provide transportation for school children on that route. Such sidewalks must have ramps at each crosswalk curb. \$100,000 is appropriated to the Department of Education for these purposes. Effective July 1, 1974. Passed over Governor's veto.

PA 74-294 AN ACT CONCERNING TAX RELIEF FOR THE ELDERLY BY MUNICIPALITIES PURSUANT TO PUBLIC ACT 73-628 of 1973. Effective upon passage.

PA 74-299 AN ACT CONCERNING MUNICIPAL ASSESSMENT PRACTICES AND PROCEDURES provides that all municipalities establish a uniform assessment date of October 1, commencing no later than October 1, 1978. The legislative body of each municipality will, by vote,

determine the date upon which it will begin compliance with the uniform fiscal year, provided it is not later than July 1, 1980. The act also provides that each municipality assess all property for purposes of the local property tax at a uniform rate of 70 per cent of present true and actual value, no later than the close of its next required revaluation. Effective upon passage.

PA 74-308 AN ACT ENABLING ANY MUNICIPALITY IN WHICH A PARIMUTUEL OR OFFTRACK BETTING FACILITY IS LOCATED TO IMPOSE A TEN PER CENT TAX ON ADMISSION TO SUCH FACILITY allows any municipality to make an ordinance imposing a ten per cent tax on the admission charge to any place licensed by the commission on special revenue and containing a parimutuel system, or to any off-track betting facility. The tax would be imposed upon the person making the admission charge, and reimbursement for the tax collected from the purchaser of the admission. The act provides for appeals procedures in the court of common pleas for taxpayers aggrieved by such a tax. Effective October 1, 1974.

PA 74-310 AN ACT CONCERNING MECHANIC'S LIENS ON LAND BEING IMPROVED OR SUBDIVIDED extends to site developers and subdividers of land the right to assert a mechanic's lien.

Under prior law, mechanic's liens were limited to persons who furnished materials or services for construction of a building. Effective upon passage.

PA 74-319 AN ACT CONCERNING TAX INCREMENT FINANCING FOR PURPOSES OF MUNICIPAL DEVELOPMENT adds new methods to existing law by which municipalities may issue bonds to carry out redevelopment plans. The act also provides for taxes levied upon taxable real property in a redevelopment project. Effective October 1, 1974.

PA 74-320 AN ACT CONCERNING OPEN-END MORTGAGES BY THE UNITED STATES OR ITS INSTRUMENTALITIES OR BY CERTAIN LENDING INSTITUTIONS allows advancements to be made to a mortgagor by the United States or any of its departments, agencies or instrumentalities, a production credit association, a bank for cooperatives organized under the 1933 Farm Credit Act, a federal intermediate credit bank or a federal land bank. Such mortgage debt and any future advancements become part of the total debt due. The advancements must be secured and can not exceed the difference between the indebtedness at the time of the advancement and the full amount of the loan. Effective upon passage.

PA 74-337 AN ACT CONCERNING TAX BENEFITS FOR MUNICIPALITIES OPERATING RECREATIONAL, TOURIST AND CONVENTION FACILITIES provides that any municipality operating municipally owned facilities for use by the public on a paid admission basis, subject to the state amusement tax, may by ordinance establish a convention and visitors commission consisting of nine persons. One half of the amusement tax receipts collected on sale of admission tickets for events taking place in a municipally owned facility will be retained by the municipality to be appropriated to the coliseum authority for promotion of conventions, recreational and tourist activity, and other purposes it determines. The remaining half of this money will go to the state tax commissioner as provided in the general statutes. The commission or the coliseum authority may borrow money up to the amount anticipated from the tax during that year. The authority receiving the proceeds must report annually on its use to the governing body of the municipality. Effective July 1, 1974.

PA 74-344 AN ACT CONCERNING COMPUTATION OF SCHOOL CONSTRUCTION GRANTS changes the base upon which reimbursement is made by the State for new construction of school buildings. Effective July 1, 1974.

PA 74-345 AN ACT CONCERNING LEGAL REMEDIES FOR HOUSING CODE ENFORCEMENT establishes a system of civil penalties and enforcement procedures for housing code violations and increases the maximum criminal penalties from a fine of \$500 and/or imprisonment for 60 days to a fine of \$1,000 and/or imprisonment for six months. The maximum penalty for a subsequent violation is increased from imprisonment for six months to imprisonment for one year. Effective October 1, 1974.

### LAND - UTILITY COMPANY LAND

PA 74-256 AN ACT CONCERNING SALE OF LAND BY PUBLIC SERVICE COMPANIES TO THE STATE OR MUNICIPALITIES requires the Public Utilities Commission to approve or disapprove the sale or lease of unimproved real property by any public service company within 150 days of receipt of intent to do so by the public service company. Failure to take action within the 150 day period constitutes approval of the proposed sales or lease. The act extends from 60 to 90 days the period within which a municipality or DEP may give notice to the PUC and the public service company of the municipality's or state's interest in acquiring the land. It also requires that within 90 days after the PUC has approved the sale or lease of the land, or within 90 days after notice has been given by the state or municipality of its intent to buy or lease the land, whichever is later, the public service company must sell the land to the municipality or state. Effective upon passage.

PA 74-303 AN ACT CONCERNING DEPARTMENT OF HEALTH APPROVAL FOR THE SALE OF WATER COMPANY LAND provides that no water company can sell, lease, or otherwise dispose of or change the use of any watershed lands (defined in the law as "land from which water drains into a public drinking water supply") without prior approval of the State Commissioner of Health, unless it is for specific recreational activities in cases where treatment facilities are deemed adequate by the Commissioner to properly safeguard the health of persons drinking the water. To gain approval for disposition or change, the water company must submit a statement analyzing the effect on the purity and adequacy of the water supply and on maintenance of ground water supplies under the most severe climatic conditions. The Commissioner of Health will make a decision within 60 days. Effective October 1, 1974.

SA 74-71 AN ACT CONCERNING A GRANT TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION TO ASSIST MUNICIPALITIES IN SELECTION OF NEW HAVEN WATER COMPANY LAND requires the DEP to assist municipalities in which the New Haven Water Company has indicated an intention to sell surplus land. The DEP will help on deciding which parcels of the land would be best acquired by the municipalities or the state for open space purposes, and will recommend sources of funding that could be made available to enable the municipalities to acquire the land. Effective October 1, 1974.

### LEGAL REFORM

PA 74-132 AN ACT CONCERNING THE ESTABLISHMENT OF THE CONNECTICUT LAW REVISION COMMISSION, a nine-member Law Revision Commission authorized to examine Connecticut law for "defects and anachronisms" and receive comments on the law from learned persons.

It is able to recommend changes in "antiquated and inequitable rules of law" and the express repeal of all statutes held unconstitutional by the State or Federal Supreme Court. An annual report describing its work, and recommendations must be submitted to the General Assembly. Other duties of the commission include assisting other groups appointed to study state law, educating the public as to the need for law revisions and conducting meetings with other knowledgeable persons for scholarly discussion of problem areas in the law.

The commission is empowered to issue regulations, to receive money, services or other assistance from any source except state funds, and to procure information from any agency, department or legislative committee. All state agencies and organizations are required to give the commission information and assistance. The commission will be part of the legislative department. Effective October 1, 1974.

### LITTER

PA 74-262 AN ACT CONCERNING LITTER CONTROL requires DEP to establish a Youth Litter Corps which will reduce litter in the State, collect data on the composition and quantity of litter, and assist DEP in devising litter programs. It requires the DEP to report to the Governor and General Assembly by February 1, 1975, on its recommendations for controlling litter, for having uniform litter receptacles and litter bags, and determining whether the returnable beverage container legislation in Oregon and Vermont is feasible for Connecticut.

The act also lowers the fine for littering from a maximum of \$200 for each offense to \$10 for the first offense and no more than \$100 for each additional offense. Effective upon passage.

### NOISE

PA 74-328 AN ACT CONCERNING NOISE POLLUTION requires the Commissioner of Environmental Protection to develop, adopt, maintain and enforce a comprehensive program of noise regulation which may include

- 1) restrictions on the use and operation of stationary noise sources; ("Stationary noise source" means any building, structure, facility of installation which emits noise beyond the property line of the source. However, state or local sanctioned on-side recreational or sporting activities, as well as farming equipment or any farming activity, are excepted from the definition.)
- 2) ambient noise standards for stationary noise sources which the Commissioner deems to be major sources of noise when measured from beyond the property line of the source;
- 3) consultation with state and local government agencies when such agencies adopt and enforce standards dealing with noise insulation for any occupancy of building; and
- 4) controls on airport or aircraft noise not preempted by federal law or under the authority of municipalities acting as proprietors of airports or exercising their local police powers.

The Commissioner must also adopt regulations to grant individual variances from the provisions of the bill if such would cause unreasonable hardship. The act authorizes any municipality to develop a comprehensive program of noise regulation and noise ordinances which may be more stringent than those in the state program provided they are approved by the Commissioner.



Any municipality may adopt, amend and enforce noise control ordinances dealing with:

- 1) maximum noise levels in specified zones;
- 2) designation of a noise control officers and commission to direct noise control programs;
- 3) implementation procedures for such programs;
- 4) procedures to assure compliance with state and federal noise regulations; and
- 5) noise level restrictions concerning construction activities.

The Commissioner is required to report to the Governor and General Assembly by February 15, 1975, on his recommendations for further executive and legislative action.

The recommendations must include the feasibility of adopting a program of state certification of products determined to be low emission products, and the feasibility of adopting a program establishing labelling requirements prohibiting the sale of products without notice to the prospective purchaser of the noise levels of such products. The sum of \$70,000 is appropriated to the DEP to carry out the purposes of this act. Effective July 1, 1974.

### POLLUTION CONTROL

PA 74-301 AN ACT CONCERNING THE LIMITATION UNDER WHICH NOTICES OF DEFICIENCY ASSESSMENTS AND CLAIMS FOR REFUND MAY BE MADE ON AIR OR WATER POLLUTION CONTROL FACILITY provides that any claim for a deficiency assessment or for a refund related to the sale, storage, use or consumption of tangible personal property or supplies acquired on or after July 1, 1967 for the purpose of planning, constructing or operating a pollution abatement facility must be filed within three years from the date that the facility is approved and certified for that purpose by the DEP Commissioner. Effective upon passage.

PA 74-314 AN ACT CONCERNING ASSESSMENT OF BENEFITS FOR WATER MAIN INSTALLATIONS allows a municipality to waive the requirement that property owners reimburse the municipality for the cost of extension of a water main whenever the municipality and the DEP Commissioner agree that this extension is needed in response to a community pollution problem. Effective October 1, 1974.

### SEWAGE

PA 74-98 AN ACT ALLOWING MUNICIPALITIES TO INCREASE THE INTEREST RATE CHARGED ON SEWER ASSESSMENTS increases interest charges on deferred sewer assessment payments but limits the interest rate to the rate the municipality is paying to finance the sewer. Effective October 1, 1974.

PA 74-341 AN ACT CONCERNING THE LICENSING OF SEWAGE DISPOSAL SYSTEM INSTALLERS AND CLEANERS establishes a State Board of Subsurface Sewage Disposal System Examiners made up of the Commissioners of Health, DEP, and three persons appointed by the Governor. The Board is authorized to issue subsurface sewage disposal system installer licenses and subsurface sewage disposal system cleaner licenses. Applicants for such licenses must pay a \$12.50 fee and take an examination administered by the Board. After October 1, 1974, any person wishing to become such an installer or cleaner must take the examination. Any person engaged in such an occupation prior to October 1, 1974, may obtain a license from the Board without taking the examination. The annual license fee is \$12.50. The provisions of the act do not apply to persons employed by federal, state, or municipal agencies. As a health precaution, the Public Health Council is required to adopt and enforce regulations to assure that all

installers and cleaners adhere to public health laws and regulations. Effective upon passage.

### SMOKING

PA 74-126 AN ACT PROHIBITING SMOKING AT PUBLIC MEETINGS IN PUBLIC BUILDINGS prohibits any person from smoking in any room of a public building where there is a meeting in progress which is open to the general public. The fine for violation of this law is five dollars, although no person can be arrested for violating the provisions of this bill unless the room in which the meeting is taking place contains a sign indicating that smoking is prohibited. This sign must have at least four inch letters with strokes at least one half inch wide and must be posted by the person who controls the building. Effective July 1, 1974.

### SOIL AND WATER CONSERVATION DISTRICTS

PA 74-325 AN ACT CONCERNING THE ESTABLISHMENT OF SOIL AND WATER CONSERVATION DISTRICTS requires the Commissioner of Environmental Protection to officially establish by regulation soil and water conservation districts and boards to assist him in dealing with the problems of soil and water erosion. The Commissioner may authorize the boards to develop soil and water conservation management programs, provide technical assistance to landowners and municipal or regional agencies, receive funds from the Commissioner or private sources, and use State equipment.

It further requires the Commissioner to establish a council to coordinate the activities of the boards with the activities of the DEP and other State, regional, or local agencies in matters concerning soil and water erosion control. It deletes the authority of the Commissioner to assist individuals with soil and water conservation problems, and appropriates \$1,000 to each soil and water conservation district every July 1, to assist in the expansion of public services. Effective upon passage, except that the section repealing the Commissioner's authority to assist individuals with soil and water conservation problems is not effective until the soil and water conservation districts and boards are established.

### SOLID WASTE

PA 74-276 AN ACT CONCERNING SOLID WASTE MANAGEMENT PLANS extends the date by which municipalities must adopt regional or local solid waste management plans for the DEP Commissioner's approval from July 1, 1974 to July 1, 1975. In addition, it requires each municipality to submit a proposed local or regional solid waste management plan to the DEP Commissioner and the relevant regional planning agency by January 1, 1975. The Commissioner, in consultation with the relevant regional planning agency, is required to approve or deny the proposed plan. If denied, the municipality would have to make the necessary revisions in the plan to meet the Commissioner's approval. The act authorizes the Commissioner to issue guidelines from time to time to the municipalities to assist them in developing their plans. Effective October 1, 1974.

PA 74-330 AN ACT CONCERNING TECHNICAL AMENDMENTS TO CONNECTICUT RESOURCE RECOVERY AUTHORITY ACT corrects an error in the number of directors appointed by the Governor to the Connecticut Resource Recovery Authority by providing that two of the four he appoints shall serve for two years and two for four years, rather than three for two years and three for four years. It also designates the chief executive officer of a town, rather than the first selectman, as the town official responsible for appointing a member to a regional solid waste advisory council. Effective upon passage.

SA 74-27 AN ACT CONCERNING ISSUANCE OF BONDS AND NOTES BY REGIONAL REFUSE DISPOSAL DISTRICT ONE gives regional refuse disposal district one (which includes the towns of New Hartford, Barkhamsted, Colebrook and Winchester) the authority to issue and sell bonds and notes for a sanitary landfill site in Barkhamsted, if the site has been approved by the DEP Commissioner. Effective October 1, 1974.

## TRANSPORTATION

PA 74-313 AN ACT CONCERNING THE FURNISHING OF CUMULATIVE MONTHLY FINANCIAL STATEMENTS FOR THE STATE'S GENERAL AND TRANSPORTATION FUNDS provides that the department of finance and control furnish to the State Comptroller cumulative monthly statements of revenues and expenditures to the end of the last completed month, together with estimated revenue and appropriation requirements of the state's general and transportation funds to the end of the fiscal year, on or before the twentieth day of each month. The act also provides that the comptroller issue cumulative monthly financial statements concerning the state's general and transportation funds, including a statement of revenues and expenditures to the end of the last completed month, together with estimated revenue and appropriation requirements of the state's general and transportation funds to the end of the fiscal year, and an analysis of the statement furnished to him by the department of finance and control, on or before the twenty-fifth day of each month. Effective July 1, 1974.

PA 74-323 AN ACT ESTABLISHING A CONNECTICUT TRANSPORTATION INSTITUTE provides that the University of Connecticut, with the cooperation of the Department of Transportation, plan and develop a program for the establishment of a Connecticut Transportation Institute for education and training in transportation technology. Consideration will be given to locating the institute in the southeastern branch of UConn at Avery Point, Groton. The sum of \$65,000 will be appropriated to UConn for this purpose. Effective October 1, 1974.

SA 74-43 AN ACT CONCERNING THE AUTHORIZATION OF BONDS OF THE STATE FOR TRANSPORTATION FACILITIES empowers the state bond commission to authorize the issuance of bonds of the state in one or more series and in principal amounts not exceeding \$17,520,000 for transportation facilities, and provides guidelines for expenditures. Effective October 1, 1974.

SA 74-47 AN ACT NAMING THE NEW CONNECTICUT ROUTE 25 names the portion of Connecticut route 25 which extends from interstate route 95 in Bridgeport to interstate route 84 in Newtown, as reconstructed, the Colonel Henry Mucci highway. Effective October 1, 1974.

SA 74-54 AN ACT CONCERNING A STUDY OF THE SOLICITATION OF RIDES IN MOTOR VEHICLES creates an appointed committee of nine persons to conduct an investigation and study of hitchhiking on highways in order to determine safety aspects, legislation in other states, and the need for legalizing hitchhiking in Connecticut. Members of the committee will include persons under 25 years of age, members of the joint standing committee on transportation, and persons in the field of law enforcement. The committee will report its findings and recommendations to the Governor and the General Assembly on or before February 15, 1975. Effective October 1, 1974.

SA 74-62 AN ACT AUTHORIZING THE PUBLIC UTILITIES

TO GRANT A CHARTER OF INCORPORATION authorizes the public utilities commission (PUC) to grant a charter of incorporation to a corporation to operate on a presently existing right-of-way and all associated tracks and facilities known as the "Berkshire Division", now owned by the Penn Central Transportation Company, which runs from Massachusetts south through North Canaan to Danbury. Effective October 1, 1974.

SA 74-68 AN ACT CONCERNING A STUDY OF RAILROAD GRADE CROSSING AND STRUCTURES provides that the commissioner of transportation conduct a study of all railroad grade crossings and structures in the state as they relate to the public safety, and to establish a priority list for improvements and submit his findings and recommendations to the Governor and the General Assembly on or before February 15, 1975. Effective October 1, 1974.

SA 74-80 AN ACT CONCERNING THE CONSTRUCTION OF A PROPOSED BUSHNELL PARK CONNECTOR requires the department of transportation to submit to the General Assembly for approval a scale model of its proposed connector from interstate route 84 through Bushnell Park to Pulaski Circle in the city of Hartford before it proceeds further with the project. Effective October 1, 1974.

SA 74-94 AN ACT CONCERNING THE CREATION OF A GREEN BELT ALONG A SECTION OF LIMITED ACCESS HIGHWAY provides the commissioner of transportation expend \$25,000 for the purchase and planting of suitable trees and shrubs before June 30, 1975, to create a green belt along a section of limited access highway selected by the commissioner as a pilot program. Effective October 1, 1974.

For authorization of issuance of bonds to finance development of a linear park along proposed Route 7, see SA 74-90 under DEP heading.

SA 74-102 AN ACT CONCERNING THE AUTHORIZATION OF BONDS OF THE STATE FOR MASS TRANSPORTATION empowers the state bond commission to authorize the issuance of bonds of the state in one or more series and in principal amounts not exceeding \$113,700,000. The act provides guidelines and requirements for expenditures including those for railroad cars, rights-of-way, and stations, buses, buildings, mass transit project plans, and engineering. The act specifies the bonding procedures. Effective October 1, 1974.

## UTILITIES

PA 74-118 AN ACT CONCERNING REIMBURSEMENT FOR RELOCATION OF A UTILITY FACILITY IN EXTENSIONS TO FEDERAL AID HIGHWAY SYSTEMS clarifies the meaning of municipal ownership of utilities to allow utilities owned by metropolitan districts to qualify for reimbursement for costs of relocating facilities for highways. Effective October 1, 1974.

PA 74-172 AN ACT CONCERNING RETURNS FROM MUNICIPALLY OWNED UTILITIES eliminates the double requirement of two annual reporting periods and two annual audits for municipally owned utilities. Under this act, those utilities owned by municipalities which have adopted the uniform fiscal year can use their financial report and audit conducted as of the close of the uniform fiscal year (June 30) instead of having an audit conducted as of the end of the calendar year, as the Public Utility Commission statute formerly required. Effective upon passage.

PA 74-216 AN ACT CONCERNING FUEL COST ADJUSTMENT CHARGES BY PUBLIC SERVICE COMPANIES increases Public Utility Commission (PUC) membership from three to five, provides for election of both a chairman and



vice-chairman, allows the chairman to assign matters to a panel of three commissioners to both hear and decide. It establishes within the PUC an Office of Consumer Counsel. It further requires the PUC to hold public hearings for gas or electric company rate increases and automatically review these company records periodically to ensure the reasonableness of the rates. The act also provides for mandatory hearings on adjustment clauses, which the PUC is required to monitor continually. Whenever the adjustment charges reach 20% of the total charges billed, the P&C must hold a public hearing. \$182,000 is appropriated to carry out this act. Effective Date: Section 1 of this bill, increasing PUC membership and allowing PUC decision by a three member panel is effective upon passage. The remainder of this bill is effective July 1, 1974.

PA 74-329 AN ACT CONCERNING THE TAXES ON GROSS EARNINGS OF PUBLIC SERVICE COMPANIES specifies that gross earnings of public service companies to be taxed must include all incomes classified by the public utilities commission in the uniform systems of accounts prescribed by them for operations within the tax year. Effective October 1, 1974.

SA 74-34 AN ACT CONCERNING THE ACQUISITION OF GAS PROPERTIES BY THE TOWN OF WALLINGFORD. Effective upon passage.

### WETLANDS

PA 74-112 AN ACT CONCERNING REVISION OF THE BOUNDARY LINES OF THE TIDAL WETLANDS requires the DEP Commissioner to inspect the tidal wetlands of the state from time to time to determine if there is a need to revise or correct the tidal wetlands boundary maps. If the Commissioner finds that mistakes have been made in the maps or that the forces of nature have caused changes in the boundaries, he is required to make the necessary boundary map revisions every two years. Effective upon passage.

PA 74-133 AN ACT CONCERNING APPOINTMENT OF MEMBERS AND THE DISQUALIFICATION OF MEMBERS OF LOCAL INLAND WETLAND AGENCIES requires a municipal order establishing an inland wetlands agency to include alternative members, as well as the number of members, who are to sit on such agency. It also requires any member of such agency to disqualify himself when a matter being discussed represents a personal conflict of interest to such member. Effective October 1, 1974.

### MISCELLANEOUS

PA 74-338 AN ACT MAKING TECHNICAL CORRECTIONS TO THE GENERAL STATUTES AND CERTAIN 1973 and 1974 ACTS makes technical corrections to sections of the General Statutes and certain public acts of 1973 and 1974. Technical amendments of interest to environmentalists include:

- Any funds in the industrial pollution abatement loan fund shall be transferred to the development authority and deposited in the industrial building mortgage insurance fund.
- Authority within the 1973 Boating Safety and Motorboat Registration Act (PA 73-257) changed from the DEP Commissioner to the commissioner of transportation to determine whether certain specified structures upon the state's waters create an obstruction or menace to navigation or a hindrance to the public use of the waters.
- Changes from 30 to 35 the amount of days the zoning commission of a municipality must give written notice to a regional planning agency

before a public hearing concerning zoning establishments or changes affecting the use of a zone any portion of which is within 500 feet of the boundary of another municipality located within the area of operation of the regional planning agency.

- The Connecticut Development Commission is changed to the Connecticut Development Authority.
- The tri-state transportation commission is changed to the Tri-State Regional Planning Commission.
- removes the managing director of the Connecticut Development Commission and adds the commissioner of commerce as members of the state interagency model cities committee.
- Makes changes in the amount of money appropriated to DEP as well as certain legal corrections to existing DEP statutes.

Effective date upon passage except specified sections.

SA 74-2 AN ACT DESIGNATING BOTH FORT GRISWOLD STATE PARK AND PUTNAM MEMORIAL PARK AS THE HISTORIC PARKS IN CONNECTICUT in connection with the observance of the nation's bicentennial. Effective October 1, 1974.

SA 74-23 AN ACT AMENDING THE CHARTER OF THE SHAKER PINES LAKE ASSOCIATION, INCORPORATED redefines the object of the Shaker Pines Lake Association and establishes voting and financial rules. Effective October 1, 1974

SA 74-26 AN ACT CORRECTING THE DESCRIPTION OF AN EASEMENT TO THE ELM CITY GUN CLUB FROM THE CONNECTICUT MILITARY DEPARTMENT. Effective October 1, 1974.

SA 74-29 AN ACT CONCERNING ANNUAL MEETINGS AND ASSESSMENT OF PROPERTY OWNERS OF THE CORNFIELD POINT ASSOCIATION changes the annual meeting date of the association and allows it to assess additional amounts to improve association beaches. Effective October 1, 1974.

SA 74-63 AN ACT CONCERNING THE AREA SERVICED BY THE HERITAGE VILLAGE WATER COMPANY. Effective October 1, 1974.

SA 74-72 AN ACT CONCERNING APPROPRIATION FOR SHORE EROSION CONTROL AT GIANT'S NECK IN EAST LYME appropriates \$10,000 to the DEP for this. Effective October 1, 1974.

SA 74-79 AN ACT CONCERNING AN APPROPRIATION FOR THE TOWN OF MIDDLEBURY FOR FLOOD RELIEF appropriates \$50,000 to be administered by the department of public works for expenses of the town of Middlebury for the repair of roads, bridges and storm drain systems damaged by a severe storm. Effective October 1, 1974.

SA 74-86 AN ACT CONCERNING AN APPROPRIATION FOR CAPITAL EXPENDITURES AT THE BARTLETT ARBORETUM appropriates \$50,000 to the University of Connecticut to be administered by the department of public works, for construction of adequate sanitary facilities for the educational buildings at the Bartlett Arboretum and completion of an entrance driveway and parking facilities. Effective October 1, 1974.

SA 74-103 AN ACT CONCERNING AN APPROPRIATION TO THE HEALTH DEPARTMENT TO PREVENT TAY-SACHS DISEASE, COOLEY'S ANEMIA AND LEAD POISONING appropriates to the department of health to be used for among other things the prevention, detection and treatment of lead poisoning, for the purposes of applying to the federal government for funds to combat lead poisoning and assisting local governments with their applications for those funds (\$25,000). Effective July 1, 1974 except for specified sections.

SA 74-119 AN ACT CONCERNING AN APPROPRIATION FOR THE TOWNS OF WESTON AND BURLINGTON TO PROVIDE POTABLE WATER appropriates to DEP \$50,000 for the town of Weston to provide a potable water supply to the residents whose wells are delivering non-potable water as a result of land fill operation; \$6,000 for the town of Burlington to provide a potable water supply to the residents whose wells are delivering non-potable water as a result of the blasting for the installation of sanitary sewers in the area. Effective October 1, 1974.



| DEPARTMENT OF ENVIRONMENTAL PROTECTION STATE OFFICE BUILDING HARTFORD, CT. 06115 |                   |        |                     |                     |                  |
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SECOND CLASS APPLICATION PENDING AT  
HARTFORD, CONNECTICUT